

Documents
— *on*
Disarmament

1970

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UNITED STATES ARMS CONTROL
AND DISARMAMENT AGENCY

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UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

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FOREWORD

The ~~present~~ publication is the latest in a series of volumes ~~that have been~~ issued annually since 1960. It contains basic documents on arms control and disarmament developments during the year. The work of the United States Arms Control and Disarmament Agency is described in the 10th Annual Report, which is printed at the end of the documentary material.

The papers are printed chronologically, ~~They are~~ preceded by a topical list of documents and followed by a chronological list. Other reference aids include a bibliography, an index, and lists of abbreviations, international organizations and conferences, and persons. The papers were compiled and annotated by Robert W. Lambert, Chief, Historical Division, with the assistance of Ruth Ihara, Jean Mayer, and Douglas Kline. Useful suggestions were also received from other officers of the United States Arms Control and Disarmament Agency.

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CONTENTS

	Page
Foreword	III
Topical List of Documents	VI
List of Abbreviations	XVII
List of Principal Organizations and Conferences	XIX
Documents	I
Chronological List of Documents	757
Bibliography	769
List of Persons	776
Index	783

TOPICAL LIST OF DOCUMENTS

	Page
COMMUNIST CHINA	
Interview Between Edgar Snow and Premier Chou En-lai [Extracts], December 13, 1970	695
CONFERENCE OF THE COMMITTEE ON DISARMAMENT	
Statement by ACDA Director Smith, February 17, 1970	6
Statement by the Soviet Representative (Roshchin), February 17, 1970	13
Statement by the British Minister of State (Chalfont), February 19, 1970	33
Statement by the Netherlands Representative (Eschauzier): Comprehensive Work Program, February 24, 1970	55
Netherlands Working Paper: Steps Toward a Comprehensive Disarmament Program, February 24, 1970	59
Statement by the Mexican Representative (Garcia Robles): Nuclear-free Zones, February 26, 1970	63
Statement by the Soviet Representative (Roshchin): Chemical and Bacteriological Weapons, March 3, 1970	71
Statement by the Swedish Representative (Myrdal): Chemical and Biological Weapons, March 12, 1970	83
United States Working Paper: Chemical Warfare Agents and the Commercial Chemical Industry, March 16, 1970	91
Statement by the Netherlands Representative (Eschauzier): Chemical and Biological Warfare, March 17, 1970	93
Statement by the United States Representative (Leonard): Chemical and Biological Weapons, March 17, 1970	100
Statement by the Canadian Representative (Ignatieff): Chemical and Biological Warfare, March 24, 1970	109
Statement by the Soviet Representative (Roshchin): Chemical and Bacteriological Weapons, April 2, 1970	124
Statement by the Swedish Representative (Myrdal): Chemical and Biological Weapons, April 9, 1970	132
Tripartite Working Paper Submitted in Connection With the Soviet Draft Convention on the Prohibition of the Development, Production, and Stockpiling of Chemical and Bacteriological (Biological) Weapons and on the Destruction of Such Weapons, April 14, 1970	140
Statement by the Polish Deputy Foreign Minister (Winiewicz): Chemical and Biological Weapons, April 14, 1970	141
Statement by the Soviet Representative (Roshchin): Chemical and Biological Weapons, April 14, 1970	151
United States Working Paper: Policy on Toxins, April 21, 1970	168

TOPICAL LIST OF DOCUMENTS

VII

Statement by the United States Representative (Leonard): Chemical and Biological Weapons, April 21, 1970	170
Statement by the Soviet Representative (Roshchin): Revised Draft Sea-Bed Treaty, April 23, 1970	175
Statement by the United States Representative (Leonard): Revised Draft Sea-Bed Treaty, April 23, 1970	181
Revised American-Soviet Draft Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof, April 23, 1970	185
Statement by the United States Representative (Leonard): Chemical and Biological Weapons, April 28, 1970	189
Statement by the British Representative (Chalfont): Chemical and Biological Weapons, April 30, 1970	190
Statement by the Soviet Representative (Roshchin), April 30, 1970	197
Statement by the United States Representative (Leonard), April 30, 1970	200
Statement by the Soviet Representative (Roshchin), June 16, 1970 ..	232
Statement by the United States Representative (Leonard), June 16, 1970	236
Statement by the Japanese Representative (Tanaka), June 18, 1970 ..	238
Statement by the Soviet Representative (Roshchin): Chemical and Bacteriological Weapons, June 18, 1970	242
Statement by the United States Representative (Leonard): General and Complete Disarmament, June 23, 1970	248
Statement by the Canadian Representative (Ignatieff): Sea-Bed and Ocean Floor, June 25, 1970	258
Statement by the Swedish Representative (Edelstam): Sea-Bed and Ocean Floor, June 25, 1970	266
Italian Paper: Suggestions on Possible Group of Experts To Study Control of Chemical Weapons, June 30, 1970	270
United States Working Paper: Toxin Amendment to British Draft Convention on Prohibition of Biological Methods of Warfare, June 30, 1970	272
Statement by the Italian Representative (Caracciolo): Chemical and Biological Weapons, June 30, 1970	273
Statement by the United States Representative (Leonard): Toxin Amendment to British Draft Convention on Biological Weapons, June 30, 1970	276
Statement by the Italian Representative (Caracciolo): Comprehensive Program of Disarmament, July 2, 1970	277
Statement by the Argentine Representative (Ortiz de Rozas): Revised Draft Sea-Bed Treaty, July 3, 1970	283
Statement by the Mexican Representative (Castañeda): Revised Draft Sea-Bed Treaty, July 7, 1970	289
Statement by the Soviet Representative (Roshchin): Revised Draft Sea-Bed Treaty, July 7, 1970	294

VIII

TOPICAL LIST OF DOCUMENTS

Statement by the Mexican Representative (Castañeda): Sea-Bed and Ocean Floor, July 9, 1970	299
Netherlands Working Paper: Radiological Warfare, July 14, 1970	308
Netherlands Working Paper: Laser Technology and Arms Control, July 14, 1970	309
Statement by the Soviet Representative (Roshchin): Chemical and Bacteriological Weapons, July 14, 1970	312
United States Working Paper: Nerve Agent and Civilian Chemical Production Facilities, July 16, 1970	323
Statement by the United States Representative (Leonard): Verification of Agreement on Chemical Weapons, July 16, 1970	326
Statement by the British Representative (Porter): Chemical and Biological Warfare, July 16, 1970	328
Mexican Working Paper: Draft Sea-Bed Treaty, July 21, 1970	331
Statement by the Swedish Representative (Myrdal): Chemical and Biological Weapons, July 21, 1970	333
Statement by the Moroccan Representative (Khattabi): Chemical and Bacteriological Weapons, July 28, 1970	338
Moroccan Working Paper: Prohibition of the Development, Production, and Stockpiling of Chemical and Bacteriological (Biological) Weapons and on the Destruction of Such Weapons, July 28, 1970	341
British Working Paper: Verification of a Comprehensive Test-Ban Treaty, July 28, 1970	342
Nine-Nation Working Paper: Revised Draft Sea-Bed Treaty, July 30, 1970	349
United States Working Paper: Seismic Data From Project Rulison, August 4, 1970	351
Statement by the United States Representative (Leonard): Comprehensive Test Ban and Seismological Research, August 4, 1970	352
Remarks on Biological Warfare by Dr. Joshua Lederberg, August 5, 1970	355
Czechoslovak Working Paper: Prohibition of the Development, Production, and Stockpiling of Chemical and Bacteriological (Biological) Weapons and on the Destruction of Such Weapons, August 6, 1970	372
Canadian Working Paper: Verification of Prohibitions of the Development, Production, Stockpiling, and Use of Chemical and Biological Weapons, August 6, 1970	375
Japanese Working Paper: Question of the Prohibition of Chemical Weapons, August 6, 1970	379
Yugoslav Working Paper: Elements for a System of Control of the Complete Prohibition of Chemical and Biological Weapons, August 6, 1970	382
Soviet Working Paper: Complete Prohibition of Chemical and Bacteriological Weapons, August 6, 1970	385
Additional Italian Working Paper on the Problem of Controls Over Chemical Weapons, August 6, 1970	388

Canadian Working Paper: Seismological Capabilities in Detecting and Identifying Underground Nuclear Explosions, August 10, 1970 . . .	390
Statement by the Soviet Representative (Roshchin): General and Complete Disarmament, August 11, 1970	393
Swedish Technical Working Paper: Comparison of Two Systems for Verification of a Comprehensive Test Ban, August 12, 1970	404
United States Working Paper: Regional Arms Agreements, August 12, 1970	406
Statement by the Swedish Representative (Myrdal), August 13, 1970 .	409
Statement by the United States Representative (Leonard): Conventional Arms Control, August 13, 1970	420
British Proposal: Revised Draft Convention for the Prohibition of Biological Methods of Warfare, August 18, 1970	428
British Proposal: Revised Draft Security Council Resolution on Biological Warfare, August 18, 1970	431
British Working Paper: Verification of Chemical Weapons Arms Control Measures, August 18, 1970	432
Statement by the British Representative (Porter): Biological and Chemical Weapons, August 18, 1970	437
Italian Working Paper: Comprehensive Program of Disarmament, August 19, 1970	440
Twelve-Nation Memorandum: Chemical and Bacteriological (Biological) Methods of Warfare, August 25, 1970	453
United States Working Paper: Economic Data Monitoring as a Means of Verifying Compliance With a Ban on Chemical Weapons, August 25, 1970	455
Tripartite Paper: Draft Comprehensive Program of Disarmament, August 27, 1970	459
Statement by the United States Representative (Leonard): Chemical and Biological Weapons, August 27, 1970	465
U.A.R. Working Paper: Suggestions on Measures of Verification of a Ban on Chemical and Biological Weapons, September 1, 1970 . . .	474
Revised American-Soviet Draft Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof, September 1, 1970	475
Statement by the Soviet Representative (Roshchin): Revised Draft Sea-Bed Treaty, September 1, 1970	480
Statement by the United States Representative (Leonard): Revised Draft Sea-Bed Treaty, September 1, 1970	485
Statement by the Soviet Representative (Roshchin): Chemical and Bacteriological Weapons, September 2, 1970	489
Statement by the Soviet Representative (Roshchin), September 3, 1970	496
Report to the General Assembly and the Disarmament Commission, September 3, 1970	500

FEDERAL REPUBLIC OF GERMANY

Treaty Between the Soviet Union and the Federal Republic of Germany, August 12, 1970	403
--	-----

X

TOPICAL LIST OF DOCUMENTS

INTERNATIONAL ATOMIC ENERGY AGENCY

Report to the Secretary-General: Recommendations of the Conference of Non-Nuclear-Weapon States, August 6, 1970	362
Report to Secretary-General Thant: Nuclear Explosions for Peaceful Purposes, August 25, 1970	446

JAPAN

Statement by the Japanese Government on Signing the Non-proliferation Treaty, February 3, 1970	2
--	---

NORTH ATLANTIC TREATY ORGANIZATION

Communique and Declaration of the North Atlantic Council, May 27, 1970	225
North Atlantic Council Communique, December 4, 1970	667

SOVIET UNION

Joint American-Soviet Communique on Peaceful Uses of Nuclear Explosions, February 20, 1970	39
Statement by Premier Kosygin on the Entry Into Force of the Treaty on the Non-proliferation of Nuclear Weapons, March 5, 1970	80
Address by C.P.S.U. General Secretary Brezhnev at Kharkov [Extract], April 14, 1970	157
News Conference Remarks by Premier Kosygin [Extracts], May 1, 1970	203
Treaty Between the Soviet Union and the Federal Republic of Germany, August 12, 1970	403

STRATEGIC ARMS LIMITATION TALKS

Statement by ACDA Director Smith, April 16, 1970	162
Statement by Deputy Foreign Minister Semenov, April 16, 1970	163
Statement by ACDA Director Smith, August 14, 1970	426
Statement by Deputy Foreign Minister Semenov, August 14, 1970 ...	427
American-Soviet Communique, August 14, 1970	427
Statement by Deputy Foreign Minister Semenov, November 2, 1970 ..	556
Statement by ACDA Director Smith, November 2, 1970	557
American-Soviet Communique, December 18, 1970	701

TREATIES AND OTHER INTERNATIONAL AGREEMENTS

Treaty Between the Soviet Union and the Federal Republic of Germany, August 12, 1970	403
--	-----

UNITED KINGDOM

Statement by Prime Minister Wilson on the Entry Into Force of the Treaty on the Non-proliferation of Nuclear Weapons, March 5, 1970	82
---	----

TOPICAL LIST OF DOCUMENTS

XI

United Kingdom—Continued

First Committee of the General Assembly

Statement by the Soviet Representative (Roshchin), November 2, 1970	537
Statement by the United States Representative (Yost), November 2, 1970	549
Statement by the Mexican Representative (Garcia Robles): Draft Sea-Bed Treaty, November 2, 1970	555
Thirty-four Power Draft Resolution: Draft Sea-Bed Treaty, November 6, 1970	553
British Draft Resolution: Chemical and Bacteriological (Biological) Weapons, November 6, 1970	559
Tripartite Draft Resolution: Chemical and Bacteriological (Biological) Weapons, November 9, 1970	561
Statement by the French Representative (Mattei), November 9, 1970 ..	563
Peruvian Amendments to the Thirty-four Power Draft Resolution on the Sea-Bed Treaty, November 10, 1970	568
Statement by the Romanian Representative (Diaconescu), November 11, 1970	570
Statement by the Mexican Representative (Garcia Robles): Additional Protocol II to the Treaty for the Prohibition of Nuclear Weapons in Latin America, November 12, 1970	579
Statement by the United States Representative (Leonard), November 16, 1970	585
Statement by the Soviet Representative (Roshchin), November 16, 1970	591
Statement by the Peruvian Representative (Arias Schreiber): Draft Sea-Bed Treaty, November 17, 1970	597
Statement by the Mexican Representative (Garcia Robles): Draft Sea-Bed Treaty, November 17, 1970	602
Statement by the Soviet Representative (Roshchin): Peruvian Amendments to Draft Sea-Bed Treaty, November 17, 1970	606
Statement by the Mexican Representative (Garcia Robles): First Peruvian Amendment to Thirty-four Power Draft Resolution on Sea-Bed Treaty, November 17, 1970	607
Statement by the United States Representative (Leonard): Mexican Revision of First Peruvian Amendment to Thirty-four Power Draft Resolution on Sea-Bed Treaty, November 17, 1970	608
Statement by the Peruvian Representative (Arias Schreiber): Mexican Revision of First Peruvian Amendment to Thirty-four Power Draft Resolution on Sea-Bed Treaty, November 17, 1970	609
Statement by the Soviet Representative (Roshchin): Mexican Revision of First Peruvian Amendment to Thirty-four Power Draft Resolution on Sea-Bed Treaty, November 17, 1970	609
Statement by the United States Representative (Leonard): Peruvian Amendments to Draft Sea-Bed Treaty, November 18, 1970	610
Statement by the United States Representative (Leonard): Additional Protocol II to the Flatelolco Treaty, November 18, 1970	611

Six-Power Draft Resolution: Comprehensive Program of Disarmament, November 18, 1970	611
Statement by the Soviet Representative (Roshchin): Additional Protocol II to the Tlatelolco Treaty, November 18, 1970	612
Twenty-four Power Draft Resolution: Economic and Social Consequences of the Armaments Race and Its Extremely Harmful Effect on World Peace and Security, November 18, 1970	613
Statement by the Canadian Representative (Ignatieff): International Exchange of Seismic Data, November 18, 1970	615
Statement by the Soviet Representative (Roshchin): Suspension of Nuclear Tests, November 18, 1970	617
Statement by the United States Representative (Leonard): Suspension of Nuclear Tests, November 18, 1970	618
Statement by the British Representative (Porter): Chemical and Biological Weapons, November 19, 1970	620
Statement by the Polish Representative (Jaroszek): Chemical and Bacteriological Weapons, November 19, 1970	622
Statement by the Yugoslav Representative (Božinović): Chemical and Biological Weapons, November 19, 1970	626
Statement by the French Representative (de la Gorce): Chemical and Bacteriological Weapons, November 19, 1970	628
Statement by the United States Representative (Leonard): Chemical and Bacteriological Weapons, November 19, 1970	630
Statement by the Soviet Representative (Roshchin): Chemical and Bacteriological Weapons, November 19, 1970	632
Statement by the Romanian Representative (Diaconescu): Economic and Social Consequences of the Armaments Race, November 19, 1970	633
Statement by the United States Representative (Leonard): Economic and Social Consequences of the Armaments Race, November 19, 1970	635
Statement by the Mexican Representative (Garcia Robles): Comprehensive Program of Disarmament, November 20, 1970	642
Revised Maltese Draft Resolution: New Techniques of Uranium Enrichment, November 23, 1970	644
Statement by the United States Representative (Leonard): Peaceful Nuclear Explosion Services, November 25, 1970	645
Statement by the Indian Representative (Jain): Peaceful Nuclear Explosion Services, November 25, 1970	646
Statement by the Soviet Representative (Roshchin): Peaceful Nuclear Explosion Services, November 25, 1970	647
Statement by the Maltese Representative (Pardo): New Techniques of Uranium Enrichment, November 25, 1970	649
Statement by the Soviet Representative (Roshchin): Cessation of Nuclear Arms Race, November 30, 1970	651
Statement by the United States Representative (Leonard): Cessation of Nuclear Arms Race, November 30, 1970	652
Statement by the United States Representative (Leonard): New Techniques of Uranium Enrichment, November 30, 1970	653

TOPICAL LIST OF DOCUMENTS

XIII

Statement by the Yugoslav Representative (Božinović): Comprehensive Program of Disarmament, December 3, 1970	659
Statement by the Soviet Representative (Roashchin): Comprehensive Program of Disarmament, December 3, 1970	665
Statement by the United States Representative (Leonard): Comprehensive Program of Disarmament, December 3, 1970	666
Statement by the French Representative (de la Gorce): Comprehensive Program of Disarmament, December 3, 1970	666
<i>General Assembly</i>	
Address by Foreign Minister Gromyko [Extract], October 21, 1970 ..	527
Address by President Nixon [Extract], October 23, 1970	529
Revised Communist Draft Convention: Prohibition of the Development, Production, and Stockpiling of Chemical and Bacteriological (Biological) Weapons and the Destruction of Such Weapons, October 23, 1970	533
Six-Power Paper: Comprehensive Program of Disarmament, December 1, 1970	653
Draft Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof, December 4, 1970	676
General Assembly Resolution 2660 (XXV): Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof, December 7, 1970	680
General Assembly Resolution 2661 (XXV): General and Complete Disarmament, December 7, 1970	681
General Assembly Resolution 2662 (XXV): Question of Chemical and Bacteriological (Biological) Weapons, December 7, 1970	683
General Assembly Resolution 2663 (XXV): Urgent Need for Suspension of Nuclear and Thermonuclear Tests, December 7, 1970 ...	685
General Assembly Resolution 2664 (XXV): Implementation of the Results of the Conference of Non-Nuclear-Weapon States, December 7, 1970	687
General Assembly Resolution 2665 (XXV): Establishment, Within the Framework of the International Atomic Energy Agency, of an International Service for Nuclear Explosions for Peaceful Purposes Under Appropriate International Control, December 7, 1970	689
General Assembly Resolution 2666 (XXV): Status of Implementation of General Assembly Resolution on Additional Protocol II to the Treaty for the Prohibition of Nuclear Weapons in Latin America, December 7, 1970	689
General Assembly Resolution 2667 (XXV): Economic and Social Consequences of the Armaments Race and Its Extremely Harmful Effects on World Peace and Security, December 7, 1970	691
General Assembly Resolution 2685 (XXV): Economic and Social Consequences of Disarmament, December 11, 1970	693

General Assembly Resolution 2749 (XXV): Declaration of Principles Governing the Sea-Bed and the Ocean Floor, and the Subsoil Thereof, Beyond the Limits of National Jurisdiction, December 17, 1970	698
<i>Second Committee of the General Assembly</i>	
Philippine Draft Resolution: Economic and Social Consequences of Disarmament, November 12, 1970	578
Statement by the Philippine Representative (Brillantes): Economic and Social Consequences of Disarmament [Summary], November 18, 1970	619
Statement by the Soviet Representative (Zakharov): Economic and Social Consequences of Disarmament [Summary], November 19, 1970	635
Statement by the United States Representative (Olds): Economic and Social Consequences of Disarmament [Summary], November 19, 1970	637
Statement by the Philippine Representative (Brillantes): Economic and Social Consequences of Disarmament [Summary], November 19, 1970	638
Statement by the United States Representative (Olds): Economic and Social Consequences of Disarmament [Summary], November 19, 1970	640
<i>Secretary-General</i>	
Note From the Soviet Government to Secretary-General Thant: International Exchange of Seismic Data, March 20, 1970	107
Soviet Note to Secretary-General on the Economic and Social Consequences of Disarmament, March 27, 1970	123
United States Note to Secretary-General Thant on the Economic and Social Consequences of Disarmament, April 17, 1970	164
Report by the International Atomic Energy Agency to the Secretary General: Recommendations of the Conference of Non-Nuclear-Weapon States, August 6, 1970	362
Report by the International Atomic Energy Agency to Secretary-General Thant: Nuclear Explosions for Peaceful Purposes, August 25, 1970	446
UNITED STATES	
ACDA Report on World Military Expenditures, 1969 [Extract]	733
News Conference Remarks by Secretary of State Rogers: Resumption of Talks With the Chinese Communists [Extract], January 22, 1970	1
White House Statement on the President's Decision To Renounce Toxins as a Method of Warfare, February 14, 1970	5
Foreign Policy Report by President Nixon to the Congress [Extracts], February 18, 1970	20
Joint American-Soviet Communique on Peaceful Uses of Nuclear Explosions, February 20, 1970	39

TOPICAL LIST OF DOCUMENTS

XV

Statement by Secretary of Defense Laird to the Senate Armed Services Committee [Extract], February 20, 1970	40
Statement by ACDA Director Smith to the House Foreign Affairs Committee: Arms Control and Disarmament Act Amendments, February 26, 1970	66
Statement by President Nixon on the Entry Into Force of the Treaty on the Non-proliferation of Nuclear Weapons, March 5, 1970 . . .	78
News Conference Remarks by President Nixon on Strategic Arms Limitation Talks [Extract], March 21, 1970	107
News Conference Remarks by Secretary of State Rogers on Strategic Arms Limitation [Extract], March 23, 1970	108
Report by the Senate Foreign Relations Committee on Strategic Arms Limitation Resolution, March 24, 1970	114
Report of the House Foreign Affairs Committee on Arms Control and Disarmament Act Amendments, March 26, 1970	119
Senate Resolution 211 on Strategic Arms Limitations, April 9, 1970 .	132
Report of the Senate Foreign Relations Committee on Arms Control and Disarmament Act Amendments, April 14, 1970	154
German Television Interview With Secretary of State Rogers: European Security and Strategic Arms Limitation Talks [Extract], April 15, 1970	159
Message From President Nixon to ACDA Director Smith on Resumption of Strategic Arms Limitation Talks, April 16, 1970	162
News Conference Remarks by President Nixon [Extract], May 8, 1970	204
Statement by Secretary of Defense Laird to the Senate Armed Services Committee: Strategic Balance and Arms Limitation, May 12, 1970	204
Arms Control and Disarmament Act Amendments, May 12, 1970 . . .	213
News Conference Remarks by Secretary of State Rogers: Cambodian Incursion and Relations With the Soviet Union [Extract], May 13, 1970	213
Report on Chemical-Biological Warfare by the Subcommittee on National Security and Scientific Developments of the House Committee on Foreign Affairs, May 16, 1970	214
Statement by Secretary of State Rogers to the House Foreign Affairs Committee [Extract], June 9, 1970	230
News Conference Remarks by Secretary of State Rogers on Strategic Arms Limitation Talks [Extract], June 25, 1970	257
Proposed Statement on United States Ratification of Additional Protocol II to the Treaty for the Prohibition of Nuclear Weapons in Latin America, July 16, 1970	317
Report by Secretary of State Rogers to President Nixon: Additional Protocol II to the Treaty for the Prohibition of Nuclear Weapons in Latin America, July 16, 1970	318
News Conference Remarks by President Nixon on the Strategic Arms Limitation Talks [Extracts], July 30, 1970	350
Report by Secretary of State Rogers to President Nixon: Geneva	

Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous, or Other Gases, August 11, 1970	400
Message From President Nixon to the Senate: Additional Protocol II to the Treaty for the Prohibition of Nuclear Weapons in Latin America, August 13, 1970	408
Message From President Nixon to the Senate: Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous, or Other Gases, August 19, 1970	445
Statement by Assistant Secretary of State Meyer to the Senate Foreign Relations Committee: Additional Protocol II to the Tlatelolco Treaty, September 22, 1970	516
Statement by ACDA Assistant Director Leonard to the Senate Foreign Relations Committee [Extracts]: Additional Protocol II to the Tlatelolco Treaty, September 22, 1970	519
ACDA Statement to the Senate Foreign Relations Committee: Additional Protocol II to the Tlatelolco Treaty and the Non-Use of Nuclear Weapons, September 22, 1970	524
ACDA Statement to the Senate Foreign Relations Committee: Additional Protocol II to the Tlatelolco Treaty and the Right of Transit, September 22, 1970	525
Letter From Admiral Moorer to Senator Fulbright on Additional Protocol II to the Tlatelolco Treaty, September 22, 1970	527
News Conference Remarks by President Nixon [Extract], December 10, 1970	693
Interview of ACDA Director Smith With <i>U.S. News and World Report</i> : Strategic Arms Limitation Talks, December 14, 1970	696
News Conference Remarks by Secretary of State Rogers: Strategic Arms Limitation Talks [Extract], December 23, 1970	702
ACDA Report on World Military Expenditures, 1970 [Extract]	746
Tenth Annual Report of the United States Arms Control and Disarmament Agency, January 27, 1971	702
WARSAW PACT	
Budapest Communique of Warsaw Pact Foreign Ministers [Extract], June 22, 1970	244
Budapest Memorandum of Warsaw Pact Foreign Ministers on European Security, June 22, 1970	245

LIST OF ABBREVIATIONS

A/-General Assembly ¹	CTB-comprehensive test ban
ABM-antiballistic missile	CW-chemical warfare or weapons
/AC- <i>Ad Hoc Committee</i> ¹	CY-calendar year
ACDA-U.S. Arms Control and Disarmament Agency	DC-(1) Disarmament Commission, ¹ (2) District of Columbia
AD-Alliance Defence	DM-diphenylaminochloroarsine
/Add.-addendum ¹	DNA-deoxyribonucleic acid
AEC-Atomic Energy Commission	DOD-Department of Defense
AECB-Atomic Energy Control Board	E/-Economic and Social Council ¹
ALPA-Alaskan Long Period Seismic Array	ENDC-Eighteen Nation Disarmament Committee ^{1,3}
AMSA-advanced manned strategic aircraft	EURATOM-European Atomic Energy Community
ARPA-Advanced Research Projects Agency	FAA-Federal Aviation Agency
ASM-air-to-surface missile	FRG-Federal Republic of Germany
ASW-anti-submarine warfare	FY-fiscal year
AWACS-airborne warning and control system	G.A.-General Assembly
B-(1) bacteriological, (2) biological	GC-General Conference ¹
BG-Board of Governors ¹	GDR-German Democratic Republic ²
BMD-ballistic missile defense	GNP-gross national product
BMEWS-ballistic missile early warning system	GSA-General Services Administration
BW-biological warfare/weapons	H.-House of Representatives, U.S. Congress
C-(1) chemical, (2) Committee ¹	Hz-hertz
/C.1-First (Political and Security) Committee ¹	IAEA-International Atomic Energy Agency
/C.2-Second (Economic and Financial) Committee ¹	ICBM-intercontinental ballistic missile
CB-chemical and biological	ICRC-International Committee of the Red Cross
CBW-chemical and biological warfare or weapons	INF-information series ¹
CCD-Conference of the Committee on Disarmament ¹	INFCIRC-information circular
CIA-Central Intelligence Agency	INIS-International Nuclear Information System ¹
CNNWS-Conference of the Non-Nuclear Weapon States	IRBM-intermediate-range ballistic missile
Com.-Committee	JCS-Joint Chiefs of Staff
/CONF.-Conference ¹	kt-kiloton
Cong.-Congress	/L.-working document with limited distribution ¹
CONUS-continental United States	LASA-Large Aperture Seismic Array
COPREDA L-Preparatory Commission for the Denuclearization of Latin America ¹	LD-lethal dose
Corr.-correction ¹	LSD-lysergic acid diethylamide
C.P.S.U.-Communist Party of the Soviet Union	m-magnitude
	MBFR-mutual and balanced force reduction
	MIRV-multiple, independently targetable re-entry vehicle

MIST-minor isotope safeguard technique	SC-Security Council ¹
MLF-multilateral force	SCAD-subsonic cruise armed decoy sess.-session
MPR-Mongolian People's Republic ²	SG/-Secretary-General ¹
MRBM-medium-range ballistic missile	SHAPE-Supreme Headquarters Allied Powers Europe
MRI-Midwest Research Institute	SIPRI-Stockholm International Peace Research Institute
MRV-multiple re-entry vehicle	SLBM-submarine-launched ballistic missile
MSR-missile site radar	SNR-signal to noise ratio
MT-megaton	SPASUR-space surveillance system
MW-milliwatt	SR.-summary record ¹
NAC-North Atlantic Council	SRAM-short range attack missile
NASA-National Aeronautics and Space Administration	SS-surface-to-surface (missile)
NATO-North Atlantic Treaty Organization	SSBN-fleet ballistic missile submarine
n. mi.-nautical mile	SSR-Soviet Socialist Republic
NNC-Conference of Non-Nuclear Weapon States	Stat.-United States Statutes at Large
NORSAR-Norwegian Seismic Array	TA-Technical Assistance
NPD-Nuclear Power Demonstration [Reactor]	UAR-United Arab Republic
NPT-nuclear nonproliferation treaty	UE-unit equipment
NSC-National Security Council	U.K.-United Kingdom
OPANAL-Organization (or Agency) for the Prohibition of Nuclear Weapons in Latin America ¹	ULMS-undersea long-range missile system/underwater launch missile
OSMM-Office of Safeguards and Material Management	U.N.-United Nations
OTH-over-the-horizon	UNDP-United Nations Development Program
P-waves-elastic body waves	UNDP/SF-United Nations Development Program Special Fund ¹
PAR-perimeter acquisition radar	UNDP/TA-United Nations Development Program Technical Assistance ¹
PNE-peaceful nuclear explosions	UNESCO-United Nations Educational, Scientific and Cultural Organization
prov.-provisional ¹	U.N.G.A.-United Nations General Assembly
pt.-part	U.S.-United States
PTB-partial test ban	USAF-United States Air Force
/P.V.-procès verbal (verbatim record) ¹	U.S.C.-United States Code
R-waves-Rayleigh surface waves	USN-United States Navy
R & D-research and development	U.S.S.R.-Union of Soviet Socialist Republics
REOPANAL-preliminary meeting on the establishment of the Organization (or Agency) for the Prohibition of Nuclear Weapons in Latin America ¹	UST-United States Treaties and Other International Agreements
rept.-report	vol.-volume
Res.-resolution ¹	VRBM-variable range ballistic missile
/Rev.-revision ¹	/WG-working group ¹
RV-reentry vehicle	WHO-World Health Organization
S.-Senate	WMO-World Meteorological Organization
S/-Security Council ¹	WWSN-World-Wide Standard Seismograph Network
SAC-Strategic Air Command	
SALT-strategic arms limitation talks	
SAM-surface-to-air missile	

¹ Abbreviation used in documents of United Nations organs or international conferences served by the United Nations Secretariat.

² Communist regime not recognized by the United States.

³ Title changed to Committee on Disarmament in 1969.

LIST OF PRINCIPAL ORGANIZATIONS AND CONFERENCES

Agency for the Prohibition of Nuclear Weapons in Latin America (OPANAL).

Established by the Treaty for the Prohibition of Nuclear Weapons in Latin America.¹ Second part of the first session of General Conference, Sept. 7-11, 1970, at Mexico City. *Membership*: Barbados,² Bolivia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Paraguay, Peru, Uruguay, Venezuela.

Committee for the Twenty-fifth Anniversary of the United Nations.

Established by General Assembly resolution 2699 A (XXIV), Dec. 17, 1969.³ Met Oct. 14-20, 1970. *Membership*: Austria, Bulgaria, Byelorussian SSR, Canada, China, France, Ghana, Guatemala, Guinea, Guyana, India, Iran, Italy, Lebanon, Mauritania, Peru, Philippines, Somalia, Sweden, Togo, Trinidad and Tobago, Uganda, U.K., U.S., USSR.

Conference of the Committee on Disarmament, 1969- (formerly Eighteen Nation Committee on Disarmament).

Announced at the United Nations, Dec. 13, 1961, and endorsed by General Assembly resolution 1722 (XVI), Dec. 20, 1961. Name changed to Conference of the Committee on Disarmament, Aug. 26, 1969. 17th session, Feb. 17-Apr. 30, 1970; 18th session, June 16-Sept. 3, 1970. *Membership*: Argentina, Brazil, Bulgaria, Burma, Canada, Czechoslovakia, Ethiopia, France,⁴ Hungary, India, Italy, Japan, Mexico, Mongolia, Morocco, the Netherlands, Nigeria, Pakistan, Poland, Romania, Sweden, UAR, U.K., U.S., USSR, Yugoslavia.⁵ *Permanent Co-Chairmen*: U.S. and Soviet representatives. *Committee of the Whole*: all members.⁶ *Subcommittee on a Treaty for the Discontinuance of Nuclear Weapon Tests*: U.K., U.S., USSR.⁶

Disarmament Commission, 1952- .

Established by General Assembly resolution 502 (VI), Jan. 11, 1952. Since 1959 the Commission has comprised all U.N. members. It did not meet in 1970.

International Atomic Energy Agency, 1956- .

Established by Statute of Oct. 26, 1956. *Membership*: 103 in 1970. 14th session of General Conference, Sept. 22-28, 1970, in Vienna. *Group of Experts on the Question of International Observation of Peaceful Nuclear Explosions*: Established by IAEA in response to General Assembly resolution 2605 B (XXIV) of December 19, 1969, to advise the Director

¹ *Documents on Disarmament, 1967*, pp. 69-83.

² Barbados did not attend the General Conference.

³ General Assembly *Official Records: Twenty-fourth Session, Supplement No. 30* (A/7630), pp. 1-2.

⁴ France has not participated.

⁵ For the original membership prior to the 1969 enlargement see *Documents on Disarmament, 1968*, p. xvii.

⁶ Has not met since 1962.

General regarding the "appropriate international observation" referred to in art. V of the Treaty on the Non-Proliferation of Nuclear Weapons. Met Nov. 23-27, 1970. *Participants:* Experts from Brazil, France, Japan, Mexico, Sweden, UAR., U.K., U.S., USSR. *IAEA Safeguards Committee, 1970-1971:* Established by IAEA Board of Governors, Apr. 6, 1970, to draw up guidelines for safeguard agreements with parties to the non-proliferation treaty. *Membership:* Open to all IAEA members. June 1970-Mar. 10, 1971.

Strategic Arms Limitation Talks Between the United States and the Soviet Union.

Announced July 1, 1968. First session in Helsinki, Nov. 17-Dec. 22, 1969. Second session in Vienna, Apr. 16-Aug. 14, 1970. Third session, Helsinki, Nov. 2-Dec. 18, 1970.

United Nations General Assembly.

Twenty-fifth session, Sept. 15-Dec. 17, 1970; 25th anniversary commemorative session, Oct. 19-25, 1970.

News Conference Remarks by Secretary of State Rogers: Resumption of Talks With the Chinese Communists [Extract], January 22, 1970¹

Mr. Scali: Mr. Secretary, do you have high hopes for resumption of the talks with the Chinese which begin Tuesday in Warsaw?

Secretary Rogers: I wouldn't say high hopes. We are pleased that they are talking in Warsaw. We hope there will be some slight progress made. We are not particularly optimistic, but we are hopeful. If we could make some progress, I think it would be very much in the public interest.

Mr. Clark: Mr. Secretary, just what would you like to see come out of those talks?

Secretary Rogers: Well, I would like to see some exchanges of people, students, doctors, journalists. I would like to see some slight improvement in our trade relations, and so forth.

Mr. Scali: Mr. Secretary, isn't there a danger that the mere fact that we are talking with the Chinese will cause the Soviets to hold back on potential agreements with us in such fields as limiting nuclear missiles, for example?

Secretary Rogers: I don't think so. I know that is the conventional wisdom in Washington, but I don't believe it. I don't see any reason why we can't have better relations with both the Soviet Union and Communist China. We have relations with a lot of other nations in the world that don't get along very well, and I don't see any reason why we can't in this situation.

Now, if the Soviet Union had an idea that we were involved in some major breakthrough, that we were going to work out some major agreement that might affect the power balance of the world, that would be different; but as time goes on they are going to see that that is not the case, and I think if we can improve relations with Communist China it will be a good thing for the whole world.

Mr. Scali: You do detect, do you not, Mr. Secretary, some degree of nervousness and apprehension in Moscow over the fact that we are beginning to talk with the Chinese?

Secretary Rogers: Yes, that is a fact; and also we detect some nervousness on the part of the Chinese Communists that we are

¹ Department of State Bulletin, Feb. 9, 1970, pp. 153-154.

talking with the Soviet Union on arms limitations, and other topics.

**Statement by the Japanese Government on Signing the
Non-proliferation Treaty, February 3, 1970¹**

The Government of Japan, believing that the proliferation of nuclear weapons would increase the danger of nuclear war, has always been in favour of the spirit underlying this Treaty, since the prevention of the proliferation of nuclear weapons is in accord with its policy with regard to the maintenance of world peace.

The Government of Japan is signing this Treaty on the basis of its fundamental position which is stated below.

The Government of Japan is convinced that this Treaty will serve as a first step towards nuclear disarmament and hopes that as many states as possible will adhere to this Treaty to make it effective. The Government of Japan hopes, especially, that the Governments of the Republic of France and the People's Republic of China which possess nuclear weapons but have yet to express their intention of adhering to this Treaty will become parties thereto at an early date and pursue negotiations in good faith on nuclear disarmament and that they will refrain, even before that, from taking such actions as are contrary to the purposes of this Treaty.

This Treaty permits only the present nuclear-weapon states to possess nuclear weapons. This discrimination should ultimately be made to disappear through the elimination of nuclear weapons by all the nuclear-weapon states from their national arsenals. Until such time the nuclear-weapon states should be conscious of the fact that they have special responsibilities as a consequence of this special status.

The prohibition under this Treaty applies solely to the acquisition of nuclear weapons and other nuclear explosive devices and of control over them. Therefore, this Treaty must in no way restrict non-nuclear-weapon states in their research, development, or implementation of the peaceful use of nuclear energy, or in their international cooperation in these fields, nor must it subject them to discriminatory treatment in any aspect of such activities.

The Government of Japan wishes to state that it has a deep interest in the following matters in the light of its basic position stated above.

This government stresses that it will also concern itself most vigorously with these matters when it decides to ratify the Treaty

¹ Department of State files. The treaty may be found in *Documents on Disarmament*, 1968, pp. 461-465.

as well as when it participates in the review of its operation in the future as a party to the Treaty.

I. Disarmament and Security

1. Under Article VI of the Treaty each state party "undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control." The Government of Japan believes it essential for the attainment of the purposes of this Treaty that, above all, the nuclear-weapon states should take concrete nuclear disarmament measures in pursuance of this undertaking. As a member of the Committee on disarmament, Japan is also prepared to cooperate in the furtherance of disarmament.

2. The Government of Japan deems it important that in the preamble to the Treaty there is a provision stating that "in accordance with the Charter of the United Nations, states must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations." It also wishes to emphasize that the nuclear-weapon states must not have recourse to the use of nuclear weapons or threaten to use such weapons against non-nuclear-weapon states.

3. The Government of Japan also attaches great importance to the declarations of the United States, the United Kingdom, and the Soviet Union affirming their intention to seek immediate Security Council action to provide assistance, in accordance with the Charter of the United Nations, to any non-nuclear-weapon state, party to the Treaty, that is a victim of an act of aggression or an object of a threat of aggression in which nuclear weapons are used, and hopes that the nuclear-weapon states will continue their studies with regard to effective measures to ensure the security of non-nuclear-weapon states.²

4. The Government of Japan, pending its ratifications of this Treaty, will pay particular attention to developments in disarmament negotiations and progress in the implementation of the Security Council resolution on the security of non-nuclear-weapon states³ and continue to make a close study of other problems which require consideration for the safeguarding of her national interests.

5. The Government of Japan takes note of the fact that Article X of the Treaty provides that: "each party shall in exercising its national sovereignty have the right to withdraw from the Treaty if it decides that extraordinary events, related to the subject matter

² See *ibid.*, pp. 439-440.

³ *Ibid.*, p. 444.

of this Treaty, have jeopardized the supreme interests of its country."

II. *Peaceful Uses of Nuclear Energy*

1. The safeguards agreement to be concluded by Japan with the International Atomic Energy Agency in accordance with Article III of the Treaty must not be such as would subject her to disadvantageous treatment as compared with the safeguards agreements which other states parties conclude with the same agency, either individually or together with other states. The Government of Japan intends to give full consideration to this matter before taking steps to ratify the Treaty.

2. The Government of Japan greatly appreciates, as a measure supplementing this Treaty, the declarations of the Governments of the United States and the United Kingdom, which are both nuclear-weapon states, that they will accept the application of safeguards of the International Atomic Energy Agency to all their nuclear activities, excluding only those directly related to their national security, and earnestly hopes that these assurances will be faithfully implemented.⁴ It also hopes most earnestly that the other nuclear-weapon states will take similar action.

3. Safeguards should be subject to the principle that they should be applied at certain strategic points of the nuclear fuel cycle, and the procedure for their application must be rational when considered from the point of view of cost-effectiveness and made as simple as possible by making the maximum use of material control systems of the respective countries. Furthermore, adequate measures must be taken to ensure that the application of safeguards does not cause the leakage of industrial secrets or otherwise hinder industrial activities. The Government of Japan hopes that the International Atomic Energy Agency will make constant efforts to improve safeguards in the light of technological developments with the above aims in mind. This government is prepared to cooperate in such efforts and hopes that the states concerned will also cooperate to achieve this end.

4. The Government of Japan understands that no unfair burden in connection with the cost of applying safeguards will be imposed on the non-nuclear-weapon states to which such safeguards are to be applied.

5. The Government of Japan considers that, when safeguards are applied in accordance with the safeguards agreement to be concluded by Japan with the International Atomic Energy Agency under Article III of this Treaty, steps should be taken to arrange that such safeguards supersede the existing safeguards which are being applied in connection with Japan's cooperation with the United States, the United Kingdom, and Canada in the peaceful use of nuclear energy.

⁴*Ibid.*, 1967, pp. 613-616.

6. Concrete measures should be taken to promote the implementation of the provisions of Articles IV and V of the Treaty relating to international cooperation for the peaceful use of nuclear energy and for the peaceful application of nuclear explosions. In particular, no peaceful nuclear activities in non-nuclear-weapon states shall be prohibited or restricted, nor shall the transfer of information, nuclear materials, equipment, or other material relating to the peaceful use of nuclear energy be denied to non-nuclear-weapon states, merely on the grounds that such activities or transfers could be used also for the manufacture of nuclear weapons or other nuclear explosive devices.

**White House Statement on the President's Decision To
Renounce Toxins as a Method of Warfare, February 14, 1970¹**

On November 25, 1969, the President renounced all offensive preparations for and any use by the United States of biological or bacteriological agents and weapons in war. Since that decision, at the direction of the President, a comprehensive review of United States policy and military programs concerning toxins has been in progress.²

Toxins are chemical substances, not living organisms, and are so regarded by the U.N. Secretary General and the World Health Organization. Although the effects of some toxins are commonly described as disease, they are not capable of reproducing themselves and are not transmissible from one person to another.

However, the production of toxins in any significant quantity would require facilities similar to those needed for the production of biological agents. If the United States continued to operate such facilities, it would be difficult for others to know whether they were being used to produce only toxins but not biological agents. Moreover, though toxins of the type useful for military purposes could conceivably be produced by chemical synthesis in the future, the end products would be the same and their effects would be indistinguishable from toxins produced by bacteriological or other biological processes. Accordingly, the President has decided that:

—The United States renounces offensive preparations for and the use of toxins as a method of warfare;

—The United States will confine its military programs for toxins, whether produced by bacteriological or any other biological method or by chemical synthesis, to research for defensive purposes only, such as to improve techniques of immunization and medical therapy.

¹ *Weekly Compilation of Presidential Documents*, Feb. 16, 1970, pp. 179-180.

² *Documents on Disarmament*, 1969, pp. 590-593.

The President has further directed the destruction of all existing toxin weapons and of all existing stocks of toxins which are not required for a research program for defensive purposes only.

The United States will have no need to operate any facilities capable of producing toxins either bacteriologically or biologically in large quantities and therefore also capable of producing biological agents.

These decisions have been taken with full confidence that they are in accord with the overall security requirements of the United States. These decisions also underline the United States support for the principles and objectives of the United Kingdom Draft Convention for the Prohibition of Biological Methods of Warfare.³

The United States hopes that other nations will follow our example with respect to both biological and toxin weapons.

The renunciation of toxin weapons is another significant step, which we are willing to take unilaterally, to bring about arms control and to increase the prospects of peace.

**Statement by ACDA Director Smith to the Conference of
the Committee on Disarmament, February 17, 1970¹**

I should like first, on behalf of the United States delegation, to express a word of welcome to those representatives who are attending their first meeting of this Committee, Ambassador Guerreiro of Brazil, Ambassador Datcu of Romania, Ambassador Abe of Japan, Ambassador Natorf of Poland and Ambassador Erdenbileg of Mongolia. I should like also to express our appreciation to our old friend Mr. Epstein and to the United Nations Secretariat for the excellent facilities and services which are once again being made available for this Conference.

12. I am pleased to be once again in the world's principal forum for multilateral negotiations on arms control and disarmament. Although my duties as director of a government agency and as chief of the United States delegation to the strategic arms limitation talks have prevented my participation for any extended period in the work of the Conference of the Committee on Disarmament, I have followed your negotiations, and the United Nations work on disarmament, with close attention. President Nixon and his Administration attach great importance to making progress on the vital issues before this Committee, and that is why I particularly wanted to be here today to outline the general approach of the United States delegation.

13. However, before discussing that approach there are two important matters on which I should like to comment.

³*Ibid.*, pp. 431 ff.

¹CCD/PV. 449, pp. 6-14.

14. Since the United Nations General Assembly has declared the nineteen-seventies to be a disarmament decade,² I think it would be appropriate, at this our first meeting of the seventies, to note briefly major developments in arms control and disarmament during the past decade and to consider the implications of this recent past for the tasks we now face.

15. It is clear that we have not made as much progress as all of us had hoped. During that period the world's military expenditures took as much public money as was spent by all governments on all forms of public education and health. As to armaments themselves, although the sixties did not witness revolutionary breakthroughs, such as the development of atomic and thermonuclear weapons, they saw a continuing refinement and deployment of nuclear weapons and extraordinary development of strategic delivery systems, both offensive and defensive.

16. On the other hand, during the past decade there have been significant developments in the arms control field which could bring us closer to our goal if we have the foresight, energy and imagination to seize opportunities which those changes provide. First, I believe that the work of those who seek restraints on weapons has become better understood and more widely supported. There is a growing realization throughout the world that the security of nations cannot be enhanced simply by increasing and improving armed forces and armaments. Second, we have begun to talk to one another, in the context of arms control discussions, without polemics. I think this is readily apparent when we consider how the exchanges in this Committee have evolved since the early days of the Eighteen-Nation Committee on Disarmament. We have also learnt to try in our negotiations to understand the genuine security concerns of all involved, recognizing that such understanding is a prerequisite of progress. And, finally, we have concentrated attention on individual measures which seemed ripe for progress.

17. Closely related to these developments, agreements have been reached on important measures, including measures to halt the spread of nuclear weapons. The most comprehensive of these, the Treaty on the Non-Proliferation of Nuclear Weapons,³ will enter into force within the very near future. More than ninety countries have now signed the non-proliferation Treaty and of these more than thirty have deposited their instruments of ratification. We in the United States are conscious of the fact that our task in pursuing the purposes of this Treaty is far from ended with its entry into force. We believe that we are now entering a new stage of opportunity, as well as of obligation, in implementing the Treaty's provisions. I want to speak today particularly about one of the Treaty obligations and to record, in the forum where

² *Documents on Disarmament*, 1969, pp. 713-715.

³ *Ibid.*, 1968, pp. 461-465.

the non-proliferation Treaty was negotiated, the steps that we are taking to meet it.

18. My Government is particularly mindful of the obligation in article VI of the Treaty and has begun discussions with the Soviet Union on the difficult and central task of limiting the strategic arms competition. While those talks are bilateral, they are related to work that is being done in this Committee. The success of the non-proliferation Treaty and the experience and confidence gained in that and other arms control negotiations were important elements helping to make possible the recent meeting in Helsinki in which delegations of the United States and the Soviet Union had an opportunity to hold preliminary discussions of questions involved in limiting strategic arms. I am hopeful that when these talks resume in Vienna in April any progress made there will lead to progress in arms control generally, including issues before this Committee.

19. I am sure each of the Governments represented here appreciates that the talks between the United States and the Soviet Union on the limitation of strategic armaments go to the very roots of the vital security concerns of each country and that their continued privacy offers the best chance for progress. At the same time, all nations have an important stake in the success of those talks. I should therefore like to take this occasion to offer to the Committee a few comments on the course of those Helsinki talks.

20. There was no effort there to negotiate substantive agreements, but both of the parties agreed that the presentations and exchanges which took place were quite useful for mutual understanding of the problems of curbing strategic arms. A number of important points of substance were touched upon and understanding was reached on the general range of questions which will be the subject of further exchanges. We have sought to maintain flexibility in our future discussions so as to facilitate the prospects for agreement. Thus, in reaching agreement on the organization of our work and the scope of our future talks we have not sought to establish a formal agenda with priority listing of subjects, nor have we ruled out any strategic weapon system from further discussions. I think that experience regarding procedures gained over the years in discussions here at Geneva proved to be useful to both sides in conducting the Helsinki discussions and in arranging for the method of discussion to be followed at Vienna.

21. As we look forward to Vienna, we hope the talks will proceed in the same serious and businesslike spirit which characterized the Helsinki phase of our discussions. If we can continue in this manner, it seems to me that the prospect is brighter than it has been in the past, that we can make some progress towards an agreement that is in our interest and in the common interest. It is too soon to say what form such an agreement might take. I do not

want to strike too optimistic a note. I need not explain that this is a most complicated problem, for members of this Committee are well aware of the complexities of negotiations in the arms control field, and we are still a long way from solid results. None the less, I hope that 1970 can produce concrete progress in this urgent and vital matter.

22. I should now like to turn to the work of this Committee at this session, beginning with a negotiation on which the Conference of the Committee on Disarmament has already made significant progress. In the course of our talks last year we succeeded in elaborating a draft of a meaningful agreement to prevent the deployment of weapons of mass destruction on that two-thirds of the earth's surface which lies beneath the oceans.⁴ We believe that achievement of further CCD consensus this year on the specific provisions of that measure will be an important step toward assuring the use of the sea-bed for peaceful purposes. The work which has already been devoted to this problem both in the Conference of the Committee on Disarmament and in the General Assembly demonstrates that agreement on all aspects of a draft sea-bed treaty is not an easy task. That is particularly true with respect to language defining the area to which the treaty will apply and the procedures for verifying fulfilment of the treaty's obligations. Those issues touch on concerns of importance to many countries. During this session we shall give sympathetic consideration to suggestions for accommodating those concerns. The United Nations General Assembly has asked that we continue work on that subject so that a draft treaty could be submitted to the Assembly for its consideration.⁵ We should be able to achieve this goal in an orderly manner with ample time for thorough discussion and exchanges of views among all delegations.

23. Following a comprehensive review last year by various agencies of our Government, President Nixon announced several major decisions regarding United States objectives and policies in the field of chemical and biological weapons. Although Ambassador Yost reported those decisions to the First Committee of the United Nations General Assembly, I should like to place them on record here, since they will be the basis of the United States delegation's approach in this field at Geneva.

24. Regarding chemical weapons, President Nixon announced that the United States reaffirms its long-standing renunciation of first use of lethal chemical weapons and extends that renunciation to first use of incapacitating chemicals. Consonant with those decisions he will shortly re-submit to the Senate, for its advice and consent to ratification, the Geneva Protocol of 1925.⁶

25. Regarding biological weapons, President Nixon stated that

⁴*Ibid.*, 1969, pp. 507-509.

⁵See *ibid.*, p. 715.

⁶*Ibid.*, pp. 764-765.

the United States renounces the use of all biological weapons, that the United States will confine its biological research to defensive measures such as immunization and safety, and that plans will be prepared for the disposal of existing stocks of biological weapons. The President also stated that in the spirit of those decisions the United States associates itself with the principles and objectives of the United Kingdom draft convention which would ban biological methods of warfare.⁷

26. Underlining his support for that United Kingdom convention, President Nixon announced on 15 February that the United States also renounces preparations for and the use of toxins as a method of warfare, and that it will confine its military programme for toxins, whether produced by bacteriological or other biological methods or by chemical synthesis, to research for defensive purposes only. The President further directed the destruction of all existing United States toxin weapons.⁸

27. In announcing his decisions regarding United States chemical and biological programmes, President Nixon remarked that we had tried "to find the facts and to develop the policies based on the facts as they are, rather than on our fears as to what the facts might be".⁹ There are significant differences between the properties and potential military utility of chemical and biological weapons which indicate the desirability of treating them separately in the context of arms-control negotiations. Chemical weapons are primarily tactical weapons; biological weapons are principally a strategic threat to large areas and to large population concentrations.

28. Moreover, chemical weapons have been used in warfare and a number of countries have a chemical warfare capability or are conducting research in this field. A number of those States maintain chemical warfare programmes to deter the use against them of chemical warfare and to provide a retaliatory capability if deterrence fails. I believe they would be reluctant to give up this capability unless they were assured that all possible opponents had also given it up and would not develop it again. Such assurance would be difficult to achieve even with extensive inspection. Biological weapons, on the other hand, have never been used and few nations appear to have engaged in substantial effort to develop them. It is in the light of those facts that we believe a comprehensive ban on biological warfare should be feasible at this time but that an agreement for a joint ban on both chemical warfare and biological warfare weapons would be extremely difficult to achieve.

29. As President Nixon also stated, biological warfare "has mas-

⁷ The President's statements appear *ibid.*, pp. 590-593. For the U.K. draft convention, see *ibid.*, pp. 431 ff.

⁸ *Supra.*

⁹ *Documents on Disarmament*, 1969, p. 591.

sive, unpredictable and potentially uncontrollable consequences. It may produce global epidemics and profoundly affect the health of future generations."¹⁰ Although we have decided unilaterally to dispose of our biological weapons stockpiles and to restrict our biological research to techniques of immunization and measures for controlling the spread of disease, we believe the security of all countries would be enhanced by a widely-accepted treaty commitment that would reduce the risk that the deliberate spread of disease would ever be inflicted on mankind as a means of warfare.

30. We believe that arms-control negotiations should strive for realistic objectives, and that often the most promising approach is through consideration of the separable parts of particular problems. The recent history of arms control and disarmament negotiations demonstrates very clearly that this approach can lead to important achievements.

31. I hope that other members of this Committee will approach this issue with open minds and will not dismiss an opportunity to make concrete progress, through a practical step, by taking the position that the entire range of problems in those fields must be solved together and at the same time. I should like, however, to emphasize that in its approach to the question of chemical and biological weapons the United States is prepared to give serious attention to all proposals which are now or which may be placed before the Conference of the Committee on Disarmament. We are also prepared to engage in serious negotiations on any measure offering a reasonable opening for progress. But at this session of the Conference of the Committee on Disarmament we believe that the best hope of progress lies in negotiation of a convention banning the use, production and possession of biological methods of warfare along the lines of the United Kingdom draft convention of 26 August 1969.

32. I should like to turn now to measures of nuclear disarmament. The United States delegation continues to support an adequately-verified comprehensive ban on the testing of nuclear weapons. We continue to believe that, in order to be effective, verification of such a measure should include on-site inspections. In connexion with our work on this measure we are also interested in advancing understanding and improvement of seismic means of identifying underground nuclear explosions. We shall therefore co-operate in initiatives to that end taken in this Committee. We are also making preparations, in response to United Nations resolution 2604 A (XXIV),¹¹ to furnish to the United Nations Secretary-General a list of stations from which we would be prepared to provide seismic data in the context of an agreed international exchange.

33. While we appreciate that the comprehensive test ban is a

¹⁰ *Ibid.*, p. 592.

¹¹ *Ibid.*, pp. 719-722.

measure of nuclear disarmament to which most members of the Conference of the Committee on Disarmament attach great importance and urgency, we believe that the Conference of the Committee on Disarmament should keep in mind that there are also other ways to check the nuclear arms race. One of these would be an agreement on the cut-off of the production of fissionable material for weapons purposes. I would like to recall that last year, in advocating such a measure before this Committee, Ambassador Adrian Fisher described an important modification in our proposal for assuring compliance with a cut-off agreement. He suggested that the International Atomic Energy Agency safeguard the nuclear material in each State's peaceful nuclear activities and verify the continued shutdown of any facilities for the production of fissionable material that are closed.¹² We hope this Committee will give renewed consideration to this measure.

34. In addition to the subjects I have discussed, members of the Committee will also wish to give careful attention to the range of topics inscribed on our agenda or which may have been referred to the Conference of the Committee on Disarmament by the General Assembly.

35. Current arms-control negotiations here and elsewhere tend to concentrate on limiting nuclear arms and other weapons of mass destruction. The reason is simple. A nuclear conflict could bring with it unimaginable devastation in an extremely short period of time. Whatever can be done to reduce the chance that this will happen must be done. But our focus on nuclear arms and other weapons of mass destruction, important as they are, should not cause us to neglect the problems of conventional arms. Since 1945 there has been no nuclear conflict. There have been many conflicts, often of great intensity, involving conventional arms. Measured in money, conventional weapons account for the major share of the world's military outlays and drain away resources critically needed for economic and social development. World arms expenditures, according to figures compiled by the United States Arms Control and Disarmament Agency for our next annual report, [which] will appear shortly, totalled \$200,000 million for 1969, in comparison with \$120,000 million for 1962.¹³ Of this amount only a small fraction was expended on strategic arms.

36. Control of military expenditures and avoidance or control of conflict and war are the concern of all countries and not only the nuclear Powers. Indeed, the initiative and the basic responsibility for regional arms limitation must rest with the nations concerned. It is my Government's position to encourage arrangements for regional arms limitations or other steps that would

¹² *Ibid.*, pp. 159-160.

¹³ For the 1969 expenditures, see *post*, pp. 733-746. The figure for 1962 appears in *Documents on Disarmament, 1962*, vol. I, p. 42.

reduce competition among nations for costly weapons often sought for illusory prestige. The United States remains ready to work with countries interested in pursuing this path to arms limitation, and would be ready as an arms supplier to co-operate in the implementation of agreements reached among the parties concerned.

37. When we look back ten years from now and assess developments in the field of arms control and disarmament, I hope that we will be able to point with satisfaction to concrete measures agreed upon by this Committee. Our agenda provides opportunities for such achievements, and I am confident that more opportunities, some of which may not yet even have occurred to us, will appear during the course of this decade. Solid arms-control achievements are worth while, not only to control the threats of an unlimited arms competition but also to contribute to an evolution in international relations which could obviate the need for arms races. This Committee, with the experience and expertise that it has gained during the 1960s, and now strengthened by the addition of eight important countries, is capable of grasping opportunities as they present themselves and recording solid achievement in the 1970s. Tomorrow the Committee will be privileged to hear an address by U Thant, Secretary-General of the United Nations. I can think of no more fitting send-off for our work in this decade.

Statement by the Soviet Representative (Roshchin) to the Conference of the Committee on Disarmament, February 17, 1970¹

First of all allow me to welcome you here, Mr. Chairman, as the newly-appointed representative of Romania to the Committee on Disarmament. We also welcome Ambassador Saraiva Guerreiro, the representative of Brazil; Ambassador Isao Abe, the representative of Japan; Ambassador Natorf, who represents Poland, and Ambassador Erdenbileg, representing Mongolia. We wish all success to these newly-appointed representatives to our Committee, our new colleagues, in fulfilling their important functions as representatives of their countries in the Committee on Disarmament. We should also like to congratulate Ambassador Smith, Ambassador Garcia Robles and Lord Chalfont on renewing their participation in our Committee. We should like to greet Mr. Epstein, who represents the Secretary-General in our Committee and discharges the very important function of organizing its work. We ask him to convey to Dr. Protitch our heart-felt wishes for the speedy recovery of his health and our desire to see him well and strong. After those brief

¹CCD/PV. 449, pp. 14-21.

remarks I should like to set forth the substance of our statement in connexion with the opening of this session of our Committee.

39. Today the Committee on Disarmament is beginning another regular session. We are opening a new year of efforts in the field of disarmament, one of the important areas of the foreign policy of States, in which an improvement of the international situation depends to a large extent on the successes achieved. Unfortunately we cannot fail to note that in the field of disarmament there has still not been any substantial progress, that the arms race has not slackened, and that the military expenditures of States are still growing. Nevertheless, at the same time it can be noted that the activities of States, including those here in the Committee on Disarmament, which are aimed at limiting the arms race have yielded some positive results. The most important of these is the Treaty on the Non-Proliferation of Nuclear Weapons,² which we hope will soon enter into force; the representative of the United States has already drawn the attention of the Committee to that point.³ That Treaty is a significant contribution, made by States since the emergence of the threat of nuclear war, towards fulfilling the task of limiting nuclear armaments. It is important that the greatest possible number of States should become parties to the Treaty in the shortest time.

40. The debate at the last session of the General Assembly of the United Nations showed that the majority of States are interested in solving disarmament problems and in reaching new international agreements designed to prevent any further extension of the arms race. Public opinion and the governments of many countries have welcomed the beginning of the Soviet-United States talks on curbing the strategic arms race. These facts should encourage the members of the Committee on Disarmament to redouble their efforts to solve the problems before it. The resolutions of the twenty-fourth session of the General Assembly of the United Nations, and the exchanges of views that have taken place both within and outside the Committee on Disarmament, have made it possible to determine the range of top-priority problems which, in our view, the Committee should take up without delay.

41. One of these problems relates to the prohibition of chemical and bacteriological weapons. This problem occupies a prominent place in the programme of measures of general and complete disarmament. Being the most dangerous types of weapons of mass destruction, chemical and bacteriological agents of warfare could, if used, cause innumerable calamities to human beings. In view of the danger, increased in recent years, of the use of chemical and bacteriological agents of warfare, and in view of

² *Documents on Disarmament, 1968*, pp. 461-465.

³ *Supra*.

the creation in several countries of particularly destructive weapons of this type, the problem of their complete prohibition has become extremely urgent. In the conclusion of the Secretary-General's report on these weapons it is stated:

The prospects for general and complete disarmament under effective international control, and hence for peace throughout the world, would brighten significantly if the development, production and stockpiling of chemical and bacteriological (biological) agents intended for purposes of war were to end and if they were eliminated from all military arsenals.⁴

42. It is no exaggeration to say that the demand for the total exclusion of chemical and bacteriological agents of warfare from the life of human society is now the general opinion of wide public circles in all countries of the world. That is the conclusion that can be drawn also from the results of the consideration of the problem of the prohibition of chemical and bacteriological weapons at the last session, the twenty-fourth, of the General Assembly of the United Nations, where this opinion was expressed by almost all the delegations that spoke on disarmament problems and where the resolution on this question was unanimously adopted by 120 votes.⁵

43. The problem of the complete prohibition of chemical and bacteriological weapons is now moving from the stage of general discussion to the stage of preparing and reaching agreement on a specific draft convention concerning such a prohibition. At the twenty-fourth session of the General Assembly the socialist countries submitted a draft international convention on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and on the destruction of such weapons.⁶ The Soviet side believes that the draft convention on the complete prohibition of chemical and bacteriological weapons submitted by the socialist countries is a sound basis for solving the problem of eliminating all types of these weapons from the military arsenals of States and for removing the danger that they may be used.

44. That draft was discussed during the debate on disarmament questions in the General Assembly. As a result of the debate the General Assembly requested the Committee on Disarmament to give urgent consideration to the proposal put forward by the socialist countries, as well as to other proposals relating to chemical and bacteriological weapons. The discussion of the question of chemical and bacteriological weapons in the General Assembly clearly revealed the insistent demand of the majority of the countries of the world for the earliest possible prohibition of chemical and bacteriological weapons and the conclusion of an appropriate international agreement to that end.

⁴ *Documents on Disarmament*, 1969, p. 298.

⁵ *Ibid.*, pp. 716-719.

⁶ *Ibid.*, pp. 455-457.

45. We express the hope that, during the session which opens today, members of the Committee will state their views on the draft convention submitted by the socialist countries and on how to achieve the objectives laid down therein. We shall consider all such views in the most constructive manner. The solution of the problem of the complete prohibition of chemical and bacteriological weapons could be an important step towards preventing the use of scientific progress for the mass destruction of human beings.

46. Efforts to achieve the complete prohibition of chemical and bacteriological methods of warfare should be accompanied by efforts further to strengthen the Geneva Protocol of 17 June 1925 prohibiting the use in war of chemical and bacteriological weapons.⁷ The importance of the Geneva Protocol of 1925 and the necessity of further strengthening it are also stressed by a resolution of the twenty-fourth session of the United Nations General Assembly inviting all States which had not yet done so to accede to or ratify the Geneva Protocol in the course of 1970 in commemoration of the forty-fifth anniversary of its signing and the twenty-fifth anniversary of the United Nations.⁸ Great importance is attached to the Geneva Protocol of 1925 as a barrier against the use of chemical and bacteriological agents for purposes of war. We note with satisfaction that a considerable number of States have acceded to the Protocol in recent years. As a result, about seventy States are now parties to it. At present the general demand is for all States which have not yet done so to accede to the Geneva Protocol of 1925.

47. Serving further to strengthen the Geneva Protocol of 1925 is resolution 2603 A adopted by the twenty-fourth session of the United Nations General Assembly on the initiative of a group of non-aligned States, which affirms that the prohibitions embodied in the Protocol include all chemical and bacteriological methods of warfare without exception, and constitute generally-recognized rules of international law.⁹ The Soviet side is in full agreement with the definition of the scope of prohibition of chemical and bacteriological weapons contained in that resolution. Any striving to interpret otherwise the Geneva Protocol can only be assessed as an attempt to narrow the significance and effectiveness of that agreement and to prevent the adoption of further measures for the complete elimination of chemical and bacteriological methods of warfare.

48. Another important task confronting the Committee on Disarmament is to complete the drafting of a treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor

⁷ *Ibid.*, pp. 764-765.

⁸ *Ibid.*, p. 718.

⁹ *Ibid.*, pp. 716-717.

and in the subsoil thereof. The extensive and fruitful discussion of this question at the twenty-fourth session of the General Assembly confirmed the great importance attached to such an international agreement by the majority of the countries of the world.

49. In its resolution 2602 F (XXIV) the General Assembly expressed the conviction that—

... the conclusion of a treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and in the subsoil thereof would constitute a step towards the exclusion of the sea-bed, the ocean floor and the subsoil thereof from the arms race.¹⁰

The General Assembly called upon the Committee on Disarmament to continue its work on the draft. One can say that there is a consensus of opinion regarding the need to take the first step towards complete demilitarization of the sea-bed and to prevent the emplacement of weapons of mass destruction on the sea-bed and the ocean floor and in the subsoil thereof.

50. In defining our position in regard to a treaty we attach importance to the fact that a treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and in the subsoil thereof must become an important stage towards the next step, which will later completely exclude the sea-bed and the ocean floor and the subsoil thereof from the sphere of the arms race. In the preamble to the draft treaty it is stated that the parties to the treaty are "determined to continue negotiations concerning further measures leading to this end."¹¹ We are aware of the political significance of this provision. We have considered with due interest and understanding the proposal of Sweden, which was supported by many members of the Committee and by those who took part in the discussion at the United Nations General Assembly, to transfer this important provision from the preamble to the operative part of the treaty.¹²

51. The draft treaty on the sea-bed, which we have under consideration, meets the aims set before it. It should constitute a definite factor in ensuring the limitation of the nuclear arms race. In its present form the draft treaty reflects the views expressed by the representatives of many countries, and should be regarded as the result of the collective efforts of all members of the Committee.

52. During the work of the General Assembly a number of delegations submitted working papers containing their views and proposals on individual provisions of the draft treaty. The Soviet delegation is carefully studying these proposals. We believe that in considering the draft treaty on the sea-bed the Committee should, in accordance with the appeal of the twenty-fourth session of the

¹⁰ *Ibid.*, p. 715.

¹¹ *Ibid.*, p. 507.

¹² *Ibid.*, p. 486.

United Nations General Assembly contained in resolution 2602 F (XXIV),

... take into account all the proposals and suggestions that have been made at the present session of the General Assembly and ... continue its work on this subject so that the text of a draft treaty can be submitted to the General Assembly for its consideration.

53. The draft treaty defines the scope of the prohibition of weapons of mass destruction and the area of prohibition covering the sea-bed and the ocean floor beyond the twelve-mile contiguous zone of coastal States. I should like in this connexion to point out once more that the provisions of the present draft treaty, as may be seen from the text, concern solely the achievement of the purpose which that agreement serves: it is not intended to solve the numerous problems of maritime law, to support or prejudice the position of any State party to the treaty in respect of rights or claims which such State may assert, or in respect of the recognition or non-recognition of rights or claims asserted by any other State, concerning its coastal waters or the sea-bed and ocean floor. Bearing this in mind, we believe that at the present time it is important to prevent the entry into force of the treaty from being delayed for reasons which have no direct bearing on the aims and purposes of the treaty.

54. The prohibition of the emplacement of nuclear weapons and other types of weapons of mass destruction on the sea-bed and the ocean floor and in the subsoil thereof will stand for a definite contribution to the cause of limiting the arms race. It will facilitate the solution of complex problems concerning the implementation of international co-operation in the peaceful use of a vast area of our planet—the sea-bed and the ocean floor.

55. Besides working out measures on such questions as the prohibition of chemical and bacteriological weapons, and completing the preparation of a treaty banning the emplacement of weapons of mass destruction on the sea-bed and the ocean floor, the Committee on Disarmament must take steps towards reaching agreement in regard to general and complete disarmament. The need to make further efforts to solve this problem has already been repeatedly emphasized by representatives at meetings of the Committee on Disarmament. The United Nations General Assembly has been making appeals to this effect since 1959. The situation that has come about in the world urgently calls for the solution of this question. The continuing arms race, which has now reached an enormous scale, increases year by year the risk of a world conflict, while the consequences of this process are a heavy burden on all mankind.

56. Taking this into account, the Soviet delegation deems it most necessary that the Committee should take up again the detailed consideration of the draft treaties on general and complete disarmament which have already been submitted,¹³ and

¹³ *Ibid.*, 1965, p. 77-102, 111-140.

that it should endeavour to work out an agreed text. In this connexion the Soviet delegation would like to stress that the line leading to the achievement of general and complete disarmament is one of the cornerstones of Soviet foreign policy. From the very beginning of its existence the Soviet Union, guided by the directives of Lenin, has always asserted the need to carry out disarmament. The Soviet delegation considers that the elaboration of a draft treaty on general and complete disarmament has been the main task of the Committee on Disarmament since the day of its establishment, and that as a working body for disarmament negotiations the Committee should work out such a draft for submission to governments.

57. In proposing the resumption of consideration of the problem of general and complete disarmament, the Soviet delegation takes into account the wishes expressed by many countries in connexion with the signing and ratification of the Treaty on the Non-Proliferation of Nuclear Weapons. We also base ourselves on the fact that in recent years a number of important international agreements have been concluded in the field of disarmament, such as the Treaty banning nuclear weapon tests in the atmosphere, in outer space and under water,¹⁴ the Treaty on the Principles Governing the Activities of States in the Exploration and Use of Outer Space (General Assembly resolution 2222 (XXI)),¹⁵ and, lastly, the Treaty on the Non-Proliferation of Nuclear Weapons.¹⁶ The existence of these agreements should be taken into account in further work on a draft treaty on general and complete disarmament.

58. In asserting the need to proceed to the elaboration of a treaty on general and complete disarmament, we should like to stress that such a treaty can be concluded only with the participation of the maximum number of militarily-important States, and in the first place of all the nuclear Powers.

59. Resumption of the consideration of the problem of general and complete disarmament should not, in our opinion, entail any slackening of efforts to reach international agreements in the field of partial disarmament measures. On the contrary, side by side with solving the problem of general and complete disarmament it is necessary to redouble efforts to reach agreements in the field of partial disarmament measures. For its part, the Soviet Union is prepared to work for the earliest possible conclusion of a convention banning chemical and bacteriological (biological) weapons and of a treaty on the non-emplacement of weapons of mass destruction on the sea-bed and the ocean floor, as well as for other partial disarmament measures as set forth in the Memorandum of the Soviet Government of 1 July 1968.¹⁷

¹⁴ *Ibid.*, 1963, pp. 291-293.

¹⁵ *Ibid.*, 1967, pp. 38-43.

¹⁶ *Ibid.*, 1968, pp. 461-465.

¹⁷ *Ibid.*, pp. 466-470.

60. That, in our view, is the range of problems with which the Committee on Disarmament should deal at the present time.

**Foreign Policy Report by President Nixon to the Congress
[Extracts], February 18, 1970¹**

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STRATEGIC POLICY

The Changing Strategic Balance

Following World War II, the U.S. had a monopoly of strategic nuclear weapons. Throughout most of the 1950's, our virtual monopoly of intercontinental nuclear delivery capability, in the form of a large force of Strategic Air Command bombers, gave us an overwhelming deterrent.

This assessment was unchallenged until it became apparent in the late 1950's that the Soviet Union possessed the potential for developing and deploying a force of intercontinental ballistic missiles that could destroy a large part of our strategic bomber force on the ground. The fear that our deterrent to nuclear war was in grave jeopardy, though it later proved exaggerated, focused our attention on maintaining our nuclear superiority.

In 1961, the new Administration accelerated our Polaris submarine and Minuteman ICBM programs and put more of our strategic bombers on alert. These measures provided a clear margin of U.S. nuclear superiority for several years. They restored our confidence in our deterrent; we now had two forces, our Polaris submarines and our Minuteman ICBM's deployed in hardened underground silos, that were virtually invulnerable to attack by the Soviet Union with the then-existing technology.

However, after 1965, the Soviets stepped up their ICBM deployments and began to construct their own force of Polaris-type submarines. And they began to test multiple warheads for their SS-9 ICBM, a weapon which can carry roughly ten times as much as our Minuteman missile.

Once again, U.S. strategic superiority was being challenged. However, this time, the Johnson Administration decided not to step up deployments. This restraint was based on two judgments. First, it was believed that there was relatively little we could do to keep the Soviets from developing over a period of time a strategic posture comparable in capability to our own. Second, it was thought that nuclear superiority of the kind we had previously enjoyed would have little military or political significance because our retaliatory capability was not seriously jeopardized by larger Soviet forces and because their goal was in all likelihood a retaliatory capability similar to ours.

¹ H. doc. 91-258, 91st Cong., 2d sess., pp. 118-130, 142-151.

As a result of these developments, an inescapable reality of the 1970's is the Soviet Union's possession of powerful and sophisticated strategic forces approaching, and in some categories, exceeding ours in numbers and capability.

Recent Soviet programs have emphasized both quantitative increases in offensive and defensive forces and qualitative improvements in the capabilities of these forces—such as a new, more accurate warhead and perhaps penetration aids for their Minute-man-type SS-11 missile, continued testing of the multiple warhead for the SS-9, and research and development on improved components for their ABM system, together with improved coverage by their ABM radars. The following table shows the growth in Soviet land and submarine-based missile forces in the last five years.

OPERATIONAL UNITED STATES AND SOVIET MISSILES

	1965 (Midyear)	1970 (Projected) (For year end)
Intercontinental Ballistic Missiles:		
United States	934	1,054
Soviet	224	1,290
Submarine Launched Ballistic Missiles:		
United States	464	656
Soviet	107	300

The Soviet missile deployments are continuing, whereas ours have leveled off. In the 1970's we must also expect to see Communist China deploy intercontinental ballistic missiles, seriously complicating strategic planning and diplomacy.

The evolution of U.S. and Soviet strategic capabilities during the past two decades was accompanied by intense doctrinal debates over the political and military roles of strategic forces and the appropriate criteria for choosing them.

The strategic doctrine that had gained the greatest acceptance by the time my Administration took office was this: According to the theory of "assured destruction," deterrence was guaranteed if we were sure we could destroy a significant percentage of Soviet population and industry after the worst conceivable Soviet attack on our strategic forces. The previous Administration reasoned that since we had more than enough forces for this purpose, restraint in the build-up of strategic weapons was indicated, regardless of Soviet actions. Further, it hoped that U.S. restraint in strategic weapons developments and deployments would provide a strong incentive for similar restraint by the Soviet Union, thus enhancing the likelihood of a stable strategic relationship between the two nuclear superpowers.

A Policy for the 1970's

Once in office, I concluded that this strategic doctrine should be carefully reviewed in the light of the continued growth of Soviet strategic capabilities. Since the Soviets were continuing their ambitious strategic weapons program, we had to ask some basic questions. Why might a nuclear war start or be threatened? In this light, what U.S. strategic capabilities are needed for deterrence?

We sought, in short, a strategic goal that can best be termed "sufficiency."

Our review took full account of two factors that have not existed in the past.

First, the Soviets' present build-up of strategic forces, together with what we know about their development and test programs, raises serious questions about where they are headed and the potential threats we and our allies face. These questions must be faced soberly and realistically.

Second, the growing strategic forces on both sides pose new and disturbing problems. Should a President, in the event of a nuclear attack, be left with the single option of ordering the mass destruction of enemy civilians, in the face of the certainty that it would be followed by the mass slaughter of Americans? Should the concept of assured destruction be narrowly defined and should it be the only measure of our ability to deter the variety of threats we may face?

Our review produced general agreement that the overriding purpose of our strategic posture is political and defensive: to deny other countries the ability to impose their will on the United States and its allies under the weight of strategic military superiority. We must insure that all potential aggressors see unacceptable risks in contemplating a nuclear attack, or nuclear blackmail, or acts which could escalate to strategic nuclear war, such as a Soviet conventional attack on Europe.

Beyond this general statement, our primary task was to decide on the yardsticks that should be used in evaluating the adequacy of our strategic forces against the projected threats. This issue took on added importance because such yardsticks would be needed for assessing the desirability of possible strategic arms limitation agreements with the Soviet Union.

We reached general agreement within the government on four specific criteria for strategic sufficiency. These represent a significant intellectual advance. They provide for both adequacy and flexibility. They will be constantly reviewed in the light of a changing technology.

Designing Strategic Forces

Having settled on a statement of strategic purposes and criteria, we analyzed possible U.S. strategic force postures for the 1970's and beyond. We reviewed alternatives ranging from "minimum

deterrence"—a posture built around ballistic missile submarines and the assured destruction doctrine narrowly interpreted—to attempts at recapturing numerical superiority through accelerated U.S. strategic deployments across the board.

There was general agreement that postures which significantly reduced or increased our strategic programs and deployments involved undesirable risks:

—Sharp cutbacks would not permit us to satisfy our sufficiency criteria, and might provoke the opposite Soviet reaction. If the U.S. unilaterally dropped out of the strategic arms competition, the Soviets might well seize the opportunity to step up their programs and achieve a significant margin of strategic superiority. The vigor and breadth of their current strategic weapons programs and deployments, which clearly exceed the requirements of minimum deterrence, make such a possibility seem far from remote. This might also—paradoxically—eliminate any Soviet incentives for an agreement to limit strategic arms, and would raise serious concerns among our allies. This is particularly true for our NATO allies who view the U.S. commitment to deter Soviet aggression as being based mainly on our maintenance of a powerful strategic posture.

—Sharp increases, on the other hand, might not have any significant political or military benefits. Many believe that the Soviets would seek to offset our actions, at least in part, and that Soviet political positions would harden, tensions would increase, and the prospect for reaching agreements to limit strategic arms might be irreparably damaged.

What ultimately we must do in between these extremes will depend, of course, on many factors. Will the Soviets continue to expand their strategic forces? What will be their configuration? What understanding might we reach on strategic arms limitations? What weapons systems might be covered by agreements?

I recognize that decisions on shaping our strategic posture are perhaps the most complex and fateful we face. The answers to these questions will largely determine whether we will be forced into increased deployments to offset the Soviet threat to the sufficiency of our deterrent, or whether we and the Soviet Union can together move from an era of confrontation to one of negotiation, whether jointly we can pursue responsible, non-provocative strategic arms policies based on sufficiency as a mutually shared goal or whether there will be another round of the arms race.

The Role of Ballistic Missile Defense

My decision to continue with the construction of the Safeguard anti-ballistic missile system is fully consistent with our criteria and with our goal of effective arms limitation.

I would like to recall what I said last March about the problem

that led us to seek approval of the first phase of the Safeguard program:

The gravest responsibility which I bear as President of the United States is for the security of the Nation. Our nuclear forces defend not only ourselves but our allies as well. The imperative that our nuclear deterrent remain secure beyond any possible doubt requires that the U.S. must take steps now to insure that our strategic retaliatory forces will not become vulnerable to a Soviet attack.²

I believed then, and I am even more convinced today, that there is a serious threat to our retaliatory capability in the form of the growing Soviet forces of ICBM's and ballistic missile submarines, their multiple warhead program for the SS-9 missile, their apparent interest in improving the accuracy of their ICBM warheads, and their development of a semi-orbital nuclear weapon system. That this threat continues to be serious was confirmed by my Foreign Intelligence Advisory Board—an independent, bipartisan group of senior outside advisors—which recently completed its own review of the strategic threats we face.

I pointed out in the same statement that we cannot ignore the potential Chinese threat against the U.S. population, as well as the danger of an accidental or unauthorized attack from any source. Nor can we dismiss the possibility that other countries may in the future acquire the capability to attack the U.S. with nuclear weapons. Today, any nuclear attack—no matter how small; whether accidental, unauthorized or by design; by a superpower or by a country with only a primitive nuclear delivery capability—would be a catastrophe for the U.S., no matter how devastating our ability to retaliate.

No Administration with the responsibility for the lives and security of the American people could fail to provide every possible protection against such eventualities.

Thus on March 14, 1969, I stated the objectives of the Safeguard program:

This measured deployment is designed to fulfill three objectives:

1. Protection of our land-based retaliatory forces against a direct attack by the Soviet Union.
2. Defense of the American people against the kind of nuclear attack which Communist China is likely to be able to mount within the decade.
3. Protection against the possibility of accidental attacks from any source.³

I further described the system as follows:

We will provide for local defense of selected Minuteman missile sites and an area defense designed to protect our bomber bases and our command and control authorities. In addition, this new system will provide substantial protection against the kind of attack which the Chinese Communists may be capable of launching throughout the 1970's. This deployment will not require us to place missile and radar sites close to our major cities.⁴

Last year, I promised that "each phase of the deployment will be

² *Documents on Disarmament*, 1969, p. 104.

³ *Ibid.*, p. 103.

⁴ *Ibid.*, p. 104.

reviewed to insure that we are doing as much as necessary but no more than that required by the threat existing at that time." I further indicated that in strategic arms limitation talks with the Soviet Union, the United States will be fully prepared to discuss limitations on defensive as well as offensive weapons systems.⁵

The further steps I shall propose will be consistent with these pledges. The Secretary of Defense will put forward a minimum program essential for our security. It fully protects our flexibility in discussing limitations on defensive weapons with the Soviet Union. It is my duty as President to make certain that we do no less.

GENERAL PURPOSE FORCES

When I examined the objectives established for our general purpose forces, I concluded that we must emphasize three fundamental premises of a sound defense policy:

First, while strategic forces must deter all threats of general war no matter what the cost, our general purpose forces must be more sensitively related to local situations and particular interests.

Second, while the possession of 95 per cent of the nuclear power of the non-Communist world gives us the primary responsibility for nuclear defense, the planning of general purpose forces must take into account the fact that the manpower of our friends greatly exceeds our own, as well as our heavy expenditures for strategic forces.

Third, we cannot expect U.S. military forces to cope with the entire spectrum of threats facing allies or potential allies throughout the world. This is particularly true of subversion and guerrilla warfare, or "wars of national liberation." Experience has shown that the best means of dealing with insurgencies is to preempt them through economic development and social reform and to control them with police, paramilitary and military action by the threatened government.

We may be able to supplement local efforts with economic and military assistance. However, a direct combat role for U.S. general purpose forces arises primarily when insurgency has shaded into external aggression or when there is an overt conventional attack. In such cases, we shall weigh our interests and our commitments, and we shall consider the efforts of our allies, in determining our response.

The United States has interests in defending certain land areas abroad as well as essential air and sea lines of communication. These derive from:

- the political and economic importance of our alliances;
- our desire to prevent or contain hostilities which could lead to major conflicts and thereby endanger world peace; and
- the strategic value of the threatened area as well as its line of communications.

⁵ *Ibid.*, p. 105

The military posture review I initiated the day I took office included a thorough examination of our general purpose forces. This study explored in turn our interests, the potential threats to those interests, the capabilities of our allies both with and without our assistance, and the relationship of various strategies to domestic priorities.

The National Security Council examined five different strategies for general purpose forces and related each one to the domestic programs which could be supported simultaneously. Thus, for the first time, national security and domestic priorities were considered together. In fact, two strategies were rejected because they were not considered essential to our security and because they would have thwarted vital domestic programs.

We finally decided on a strategy which represented a significant modification of the doctrine that characterized the 1960's.

The stated basis of our conventional posture in the 1960's was the so-called "2½ war" principle. According to it, U.S. forces would be maintained for a three month conventional forward defense of NATO, a defense of Korea or Southeast Asia against a full-scale Chinese attack, and a minor contingency—all simultaneously. These force levels were never reached.

In the effort to harmonize doctrine and capability, we chose what is best described as the "1½ war" strategy. Under it we will maintain in peacetime general purpose forces adequate for simultaneously meeting a major Communist attack in either Europe or Asia, assisting allies against non-Chinese threats in Asia, and contending with a contingency elsewhere.

The choice of this strategy was based on the following considerations:

- the nuclear capability of our strategic and theater nuclear forces serves as a deterrent to full-scale Soviet attack on NATO Europe or Chinese attack on our Asian allies;

- the prospects for a coordinated two-front attack on our allies by Russia and China are low both because of the risks of nuclear war and the improbability of Sino-Soviet cooperation. In any event, we do not believe that such a coordinated attack should be met primarily by U.S. conventional forces;

- the desirability of insuring against greater than expected threats by maintaining more than the forces required to meet conventional threats in one theater—such as NATO Europe;

weakness on our part would be more provocative than continued U.S. strength, for it might encourage others to take dangerous risks, to resort to the illusion that military adventurism could succeed.

To meet the requirements for the strategy we adopted, we will maintain the required ground and supporting tactical air forces in Europe and Asia, together with naval and air forces. At the same time, we will retain adequate active forces in addition to a full

complement of reserve forces based in the United States. These force levels will be spelled out in greater detail in the program and budget statement of the Secretary of Defense.

ARMS CONTROL

There is no area in which we and the Soviet Union—as well as others—have a greater common interest than in reaching agreement with regard to arms control.

The traditional course of seeking security primarily through military strength raises several problems in a world of multiplying strategic weapons.

- Modern technology makes any balance precarious and prompts new efforts at ever higher levels of complexity.

- Such an arms race absorbs resources, talents and energies.

- The more intense the competition, the greater the uncertainty about the other side's intentions.

- The higher the level of armaments, the greater the violence and devastation should deterrence fail.

For these reasons I decided early in the Administration that we should seek to maintain our security whenever possible through cooperative efforts with other nations at the lowest possible level of uncertainty, cost, and potential violence.

Our careful preparations for the Strategic Arms Limitation Talks (SALT) with the Soviet Union were designed to achieve this objective.

Preparations for SALT

Our immediate problem was to determine what measures would be most practical in slowing the momentum of armament and work out a procedure most likely to yield useful discussions.

In preparing for these negotiations, we were tempted to follow the traditional pattern of settling on one agreed position and launching discussions with the other side on this basis. We could have adopted the specific package proposal developed by the previous Administration or we could have quickly formulated an alternative plan. In my judgment there were two major problems with this approach.

First, I was convinced that we lacked the comprehensive and detailed body of facts and analyses to take account of the most recent developments in Soviet and U.S. strategic programs.

Second, we would have been engaged in a negotiating process with the inevitable investment of prestige—before either side had defined its purposes. There was a danger of turning SALT into a tactical exercise or even more the kind of propaganda battle characteristic of some previous disarmament conferences.

Too much depended on these talks, for our nation and all

mankind, to rush into them partially prepared. We decided that a clarification of objectives and factual data would allow us to discuss proposals in a coherent framework, and ultimately speed up negotiations. We assumed further that if the other side had a serious interest in exploring the possibilities of strategic arms limitations they would have a joint interest with us to analyze the issues which would have to be resolved before a satisfactory agreement could be reached. For an agreement to limit strategic arms can be lasting only if it enhances the sense of security of both sides. It is in the mutual interest therefore to clarify each other's intentions.

Therefore, instead of attempting to hammer out an agreed government position or a simple proposal, we chose a different course.

We first laid out preliminary models of possible strategic arms limitation agreements. We compared these both with each other and with the situation most likely to prevail in the absence of an agreement. This process greatly improved our understanding of the types of agreements we should consider and pointed up some of the fundamental issues. In order to resolve these issues, I directed the formation of a Verification Panel to examine the verification aspects and strategic implications of curbs on individual weapons systems and then combinations of them.

The Panel took each strategic weapons system in isolation (e.g., ICBM's or ABM's) and explored all the issues that would be involved in its limitation. We knew that any agreement had to be verified and we knew too the reluctance of the Soviet Union to accept on-site inspection. The Verification Panel therefore analyzed in detail what we could do unilaterally. Specifically, it surveyed our intelligence capability to monitor the other side's compliance with a curb for each weapon system, the precise activities that would have to be restricted to ensure confidence in the effectiveness of the limitation on U.S. and Soviet strategic weapons programs.

The analysis of our capability to verify individual weapons systems provided the building blocks for analyzing various combinations of limitations. These building blocks were combined in various positions which can be grouped in three general categories. This will enable us to respond to a broad range of Soviet proposals. These categories are:

1. Limitations on numbers of missiles. A ceiling would be placed on numbers of missiles without an attempt to restrain qualitative improvements like MIRV (multiple independently targeted re-entry vehicles). In general, these options would stop the growth of some or all strategic missile forces. They would not change the qualitative race.

2. Limitations on numbers and capabilities of missiles. These options would not only limit the numbers of missiles but also their

capabilities, including qualitative controls over such weapons as MIRV's. The hard issues here center around verification since the determination of quality requires a more intensive inspection than quantity.

3. Reduce offensive forces. This approach would attempt to reduce the number of offensive forces without qualitative restrictions on the theory that at fixed and lower levels of armaments the risks of technological surprise would be reduced.

Each of these options was analyzed in relation to various levels of strategic defensive missiles, ABM's.

The manner in which these studies were carried out contributed to their scope and their success. Discussions explored substantive issues rather than exchanging rigidly defined bureaucratic positions. Consistent with the overall philosophy of the NSC system, we focused on comprehensive assessments of the issues and alternatives rather than on attainable compromises. This presented me with clear choices, clear disagreements, and clear rationales. In the process we established a comprehensive inventory of the possibilities of a wide range of limitations. This should greatly enhance our flexibility in the forthcoming negotiations.

The SALT negotiations involve fundamental security issues for our NATO allies, as well as Japan. We have fully consulted them, engaging their views and expertise at every stage of the process. In July we discussed in great detail the relationship of SALT to the overall strategic balance with our allies and we presented the various options as we saw them then. In early November we consulted in greater detail on our approach to the first phase of SALT. We intend to continue to work closely with our allies as the negotiations continue. We consider our security inseparable from theirs.

This process involved the most intensive study of strategic arms problems ever made by this or any other government. And this process had several advantages. We were not tied to a single position; instead we had building blocks for several different positions depending on our decisions and what might prove negotiable. Opening talks with the Soviets could concentrate on the principles and objectives underlying any type of strategic arms agreement.

Preliminary talks in Helsinki opened November 17 and continued until December 22. Our experience there confirmed the validity of our approach. The discussions were serious and businesslike. The Soviet representatives demonstrated considerable preparation. They also seemed to welcome the "building block" approach. We were able to develop an agreed work program for further discussions without acrimony and in full awareness of the likely nature of such discussions. Above all, we could explore each other's purposes without getting bogged down in the negotiating details.

From a discussion of basic principles and objectives we plan to move in April in Vienna to more specific positions. We enter this next phase with a well-developed body of technical analysis and evaluations, which is being continuously expanded and improved by the Verification Panel and NSC process. And we will make a determined effort throughout these negotiations to reach agreements that will not only protect our national security but actually enhance it.

Chemical and Biological Weapons

We are prepared to take any unilateral arms control action that will not compromise our security and will minimize the danger that certain weapons will ever be developed or used by any nation. A good example is the field of chemical and biological weapons. After extensive study, I determined that a new American policy would strengthen ongoing multilateral efforts to restrict the use of these weapons by international law. We hope that other nations will follow our example and restrict their own programs unilaterally.

When I took office, the chemical and biological defense programs of the United States had gone unexamined and unanalyzed by policymakers for 15 years. I directed a comprehensive NSC system review of the premises, issues, and technical details involved. This major six-month study was the first thorough reassessment of this subject that had ever taken place at the Presidential level. After a National Security Council meeting in early November, I announced my specific decisions on November 25:

—Chemical Warfare: First, I reaffirmed the longstanding policy that the United States will never be the first to use lethal chemicals in any conflict. Second, I extended this policy to include incapacitating chemical weapons. Third, I am submitting the 1925 Geneva Protocol⁶—which prohibits the use of chemical and biological weapons in warfare—to the Senate for its advice and consent to ratification.

—Biological Research: I declared that the United States is renouncing biological warfare, since biological warfare would have massive, unpredictable, and potentially uncontrollable consequences. The United States will not engage in the development, procurement, or stockpiling of biological weapons. We shall restrict our biological program to research for defensive purposes, strictly defined—such as techniques of immunization, safety measures, and the control and prevention of the spread of disease. The United States has associated itself with the objectives of the United Kingdom draft convention banning the use of biological

⁶*Ibid.*, pp. 764-765.

weapons, submitted to the Conference of the Committee on Disarmament at Geneva in 1969.⁷

In addition, on February 14, 1970, the United States renounced offensive preparations for the use of toxins as a method of warfare. We declared that we will confine our military programs for toxins to research for defensive purposes only, and announced that all existing toxin weapons and stocks of toxins which are not required for this research would be destroyed. Although the U.N. Secretary General and World Health Organization have declared that toxins are chemicals, they produce effects commonly described as disease, and are produced by facilities similar to those needed for the production of biological agents. Hence we decided to remove any ambiguity in the interest of progress toward arms control.⁸

As I stated on November 25, "Mankind already carries in its own hands too many of the seeds of its own destruction."⁹ By the examples we set, we hope to lead the way toward the day when other nations adopt the same principles.

Seabeds--Multilateral Arms Control

The responsibility for the control of armaments is multilateral as well as bilateral. The spread of technological skills knows no national boundaries; and innovation in weaponry is no monopoly of the superpowers. The danger of competitive armament is universal. Without international constraints, the planet would be menaced by the spread of weapons of mass destruction to regions newly explored.

Collaborative efforts to avert these dangers have already produced a series of international agreements:

- to prohibit the testing of nuclear weapons in the atmosphere, in outer space, and underwater.
- to prohibit the proliferation of nuclear weaponry.
- to prohibit the use of Antarctica, or of outer space and its celestial bodies, for military purposes.

The United States has supported the efforts of the Conference of the Committee on Disarmament at Geneva to reach an international agreement prohibiting the emplacement of weapons of mass destruction on the bed of the sea. It is to the advantage of all to bring arms control, instead of strategic arms, to the ocean floor. The spread of weapons of mass destruction to this new realm would complicate the security problem of all nations, and would be to no nation's advantage.

⁷ For the President's statements, see *ibid.*, pp. 590-593. The U.K. draft convention appears *ibid.*, pp. 431 ff.

⁸ *Ante*, pp. 5-6.

⁹ *Documents on Disarmament, 1969*, p. 591.

Conclusion

The first year of this Administration saw significant progress in three areas of arms control.

—Unilaterally, we announced the comprehensive chemical and biological policy designed to set an example and encourage multilateral arms control in this field.

—Bilaterally, with the Soviet Union, we launched what could be the most important arms control discussions ever undertaken.

—Multilaterally, we made substantial progress toward reserving the vast ocean floors for peaceful purposes.

In all three instances we see our actions as protecting America's strength and enhancing her security. It is the biggest responsibility of this generation to avoid becoming the victim of its own technology.

ISSUES FOR THE FUTURE

The issues before us are ample proof of the challenge we face. The agenda requires not only fateful re-examinations of some of our old positions but also judgments about trends in the Communist world and the effect of our negotiations on our relationship with our friends. These questions include:

1. Strategic Arms Limitations

—Our approach to these negotiations has been described in detail above.

2. Limiting the Flow of Weapons to Regions in Conflict

—When peace is in everyone's interest, we must find a way to control conflict everywhere. We must not be drawn into conflicts by local rivalries. The great powers should try to damp down rather than fan local passions by showing restraint in their sale of arms to regions in conflict. We stand ready to discuss practical arrangements to this end.

3. Resolve the Great East-West Political Issues

—We continue to be prepared to discuss the issues that divide us from the Communist countries. Whether in addressing the cruel division of Europe or the future security of Asia we shall try to deepen the dialogue with the Communist powers. But we will not permit negotiations to be used to sacrifice the interests of our friends. We are committed to the closest consultation with our NATO allies, and we will maintain the closest contact with our friends and allies in Asia.

4. Closer Cooperation in Potential Crises

—We must give practical expression to the common interest we have with the Soviet Union in identifying or limiting conflict in various areas of the world. Our choice is to find a way to share more information with our adversaries to head off conflict without affecting either our own security interests or those of our friends.

These are all difficult choices. Our careful consideration of the issues involved in negotiations with the Communist world will take full account of them, as we proceed to build a lasting peace without sacrificing the interests of our allies and friends.

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**Statement by the British Minister of State (Chalfont) to the
Conference of the Committee on Disarmament, February 19,
1970¹**

May I begin, Mr. Chairman, by thanking you and other representatives who were kind enough to welcome me back in Geneva at our opening meeting on Tuesday? It gives me very great pleasure to be back here; and I should like, in turn, to welcome those representatives who are taking part in our deliberations for the first time—the representative of Brazil, Ambassador Guerreiro; the representative of Japan, Ambassador Abe; the representative of Mongolia, Ambassador Erdenbileg; the representative of Poland, Ambassador Natorf, and the representative of Romania, Ambassador Datcu. For other reasons I am delighted to see many old friends around the table, and perhaps the others of them will not mind if I single out especially Mr. William Epstein, who in this particular session is acting as Special Representative of the Secretary-General in our Committee.

3. We are beginning a session in which I believe there are real possibilities for progress in disarmament and arms control. In saying that I have especially in mind the words addressed to us yesterday by the Secretary-General of the United Nations. We all appreciate the fact that he decided to mark the start of the Disarmament Decade and the enlargement of our Committee on Disarmament by coming here to speak to us; and like all my colleagues here I listened with great attention to his words of exhortation and encouragement yesterday. It is right that we should be reminded in this signal way of our responsibilities; and let me say at once that we acknowledge these responsibilities and we shall respond, as I hope we have responded in the past, to the Secretary-General's appeal. We welcome the spirit which he evoked for the Disarmament Decade.

4. We represent here today a group of sovereign States. Although as a Committee we receive many helpful expressions of world opinion, including, of course, resolutions from the United Nations in New York, there is no one who can tell us how to control the powers and potentialities which are constantly being made available from scientific discovery. It is difficult, and indeed might even be dangerous, to try to put limitations on the scope of

¹CCD/PV. 451, pp. 5-11.

scientific investigation or to try to prevent the development of new discoveries, even though some of them may have a terrible potential for destruction.

5. It is, however, for us in this Committee to define the rules and the restraints which will ensure that scientific advances are used for the benefit and not for the destruction of mankind. The first and most obvious example that springs to the mind is, of course, the power of the atom; but it is no longer alone. Developments in microbiology and chemistry which offer great benefits to mankind might also lead to the emergence of new and appalling weapons of mass destruction. And, of course, there are new environments opening up in space and, for example, in the Antarctic and in the ocean depths. We here in the Committee on Disarmament must formulate and exercise our own restraints; and it is a task which calls for a special kind of diplomacy with a practical and compelling aim. I am glad that the Secretary-General reminded us of the world-wide expectations which wait upon our deliberations, and I should like to state formally at this stage that Britain for her part will do all she can to make this Decade an outstanding one in the cause of arms control and disarmament.

6. In saying this I do not underestimate the size of the task we are setting ourselves. During the last decade we achieved the partial test-ban Treaty², the Treaty on the peaceful uses of outer space³, and the non-proliferation Treaty.⁴ Elsewhere contributing greatly to this climate of restraint and progress in arms control, we had the Treaty of Tlatelolco⁵ in which the representative of Mexico played such a notable part. These are all fine achievements, and I for one am proud, as I imagine many others round this table are, to have been associated with them. Yet even more is going to be expected of us during the 1970s. To fulfill those expectations we must tackle the really difficult problems, we must try to crack the hard nuts; but while doing so I feel that we must not fail to seize every opportunity as it occurs, however marginal it may appear at first in the context of a wide aim such as general and complete disarmament. The sum total of what one might describe as secondary arms-control measures represents substantial progress towards this final goal.

7. Before I address myself to the work that lies before the Committee I should like to say a word about the national approach to arms and armed forces. We have heard a great deal about the vast sums of money that are being spent about the world on armaments and on armed forces, and I think it is perhaps worth pointing out to my colleagues the efforts that the British Government has made in recent years and is continuing to make to reduce the level of expenditure on defence in the United

² *Documents on Disarmament*, 1963, pp. 291-293.

³ *Ibid.*, 1967, pp. 38-43.

⁴ *Ibid.*, 1968, pp. 461-465.

⁵ *Ibid.*, 1967, pp. 69 ff.

Kingdom. Currently the defence budget of my country is, at constant prices, about 12½ per cent lower than it was in 1964/65. As a proportion of our gross national product, which is a figure we have heard mentioned in other contexts, the defence budget has declined from a figure of 7 per cent, which was being planned back in 1964, to about 5¾ per cent at the present time. Moreover, the share of the total public expenditure going to defence has declined very significantly.

8. Obviously, limitations of national defence expenditure are a step in the right direction. They enable more of our national resources to be used on education, social welfare and so on. But they are, in my view, no substitute for measures of arms control and disarmament embodied in legal instruments with an international application.

9. The pattern of the 1970s is still far from clear, but we start this decade with what are undoubtedly the most important arms-control talks that have occurred since the Eighteen-Nation Disarmament Committee was set up. I am talking, of course, about the strategic arms limitation talks which are shortly to be resumed in Vienna between the United States and the Soviet Union. Those talks, although they are not taking place here, might well result in the most important advance in arms control of this decade. The problems under discussion between the Americans and Russians are, of course, by their very nature best dealt with bilaterally, and I recognize that the responsibility of the two participating Governments is primarily to their own people. However, I am sure they realize that they have a responsibility also to the whole world to do everything in their power to make the talks a success.

10. But it should not be forgotten that there are other aspects of arms control and disarmament which are better dealt with multilaterally; and we must make it clear that this Conference is, as Mr. Smith, the United States representative, said the other day: "the world's principal forum for multilateral negotiations on arms control and disarmament."⁶ This is particularly true now that we have an enlarged and strengthened Committee. This Committee does not deal only with ancillary or subordinate matters: we have important and urgent work to do here. Just as the strategic arms limitation talks will, we hope, help to strengthen confidence between the two super-Powers, in the Conference of the Committee on Disarmament too confidence can be built up between different parts of the world, and the tensions that are the underlying cause of armed conflict can be eased.

11. Indeed, the strategic arms limitation talks themselves are an example of this. I have always considered that the success of the non-proliferation Treaty which we negotiated here depended to a large extent on the fulfilment of article VI of the Treaty, which called for further measures of disarmament. The opening of

⁶ *Ante*, p. 6.

the strategic arms limitations talks is, in my view, a most important step in that direction. We now look forward to the coming into force of the non-proliferation Treaty early next month; and we also welcome the opening of talks on safeguards at the International Atomic Energy Agency board meeting this month. If we can get early agreement on procedures for the application of the safeguards required by article III, we shall have made a really concrete advance. These are all important developments, and I hope they will encourage those who are still making up their minds about signing or ratifying the non-proliferation Treaty.

12. Looking forward to the first year of the Disarmament Decade and to our work at this session, we in this delegation still consider a comprehensive test ban as one of our highest priorities. We have made proposals on that subject⁷ which remain on the table here; and it is also still our hope that all States will co-operate to the full in meeting the Secretary-General's request for information on the seismic data which can be exchanged internationally. We should like to see early progress on the subject of peaceful nuclear explosions, and we welcome the reopening of discussions between the United States and the Soviet Union on that subject last week in Moscow.

13. In his speech yesterday the Secretary-General suggested an addition to our agenda, saying that the Conference of the Committee on Disarmament might perhaps consider the possible military applications of the gas centrifuge method of producing enriched uranium.⁸ As the Conference will know, that subject is of special interest to my Government, as the United Kingdom, together with the Netherlands and the Federal Republic of Germany, has negotiated an agreement to collaborate in the development and exploitation of this process. We hope that this agreement will be signed very soon.

14. We all know that this process can be used to produce material for nuclear weapons, but it is not unique in that: a nuclear reactor can be used for that purpose also. That is why we all attach such importance to the non-proliferation Treaty and to the negotiation by States which are parties to it of agreements with the International Atomic Energy Agency for the effective verification of their obligation under the Treaty. My view is that the right place to discuss safeguards is Vienna, and I fear that it might be an unwise precedent for this Conference to discuss one particular aspect of nuclear technology in isolation. Perhaps I might add that the three Governments—my own and the Governments of the Netherlands and the Federal Republic of Germany—believe that their collaboration in this field will make a substantial contribution not only to the development of the peaceful uses of atomic energy but also to the cause of

⁷CCD/232, Aug. 20, 1968.

⁸CCD/PV. 450, p. 9.

non-proliferation. International collaboration on the process in itself makes it unlikely that it could be used in such a way as to encourage the proliferation of nuclear weapons.

15. Perhaps I might now take up a point made by my colleague, Mr. Smith, in his statement on Tuesday⁹ and then again by Mrs. Myrdal yesterday¹⁰, when they referred to the urgent need to consider the problems of conventional arms, and say that the British Government also is ready to work with all countries to encourage international agreement on regional arms limitations. We would welcome international agreement on effective measures to control the arms trade, and for some time we have been studying the problems involved and the best way to make progress. In our view the primary requirement for the implementation of an effective international agreement is the active support of all the major supplying countries; although, of course, the attitude of recipient countries is a key factor as well. Although experience in the past has shown us that an effective agreement on the arms trade may be very difficult to reach, I hope that this problem will not be neglected during this coming decade.

16. I should also like to say a few brief words about the sea-bed treaty. We have before us the text of the draft treaty presented by the co-Chairmen on 30 October last,¹¹ together with several proposals, including some made by my own delegation. In fact I believe we now have the ingredients necessary to complete our work, and it is my hope that we shall be able to reach agreement on a final text before the end of the present session. I do not wish today to go into the details of our own views, but I should like to remind my colleagues of my proposals of 21 October 1969 in Geneva¹² and of 19 November 1969 in New York.¹³

17. The second main subject of importance which we have before us in the form of concrete proposals is that of chemical and biological warfare, and I should like to think that here, too, we can make real progress during the first year of the Disarmament Decade. In spite of the General Assembly resolution of December 1966,¹⁴ I think it is true to say that there was comparatively little interest in this particular field of arms control at that time; but the Secretary-General referred to it during an earlier visit to Geneva in 1968, and a few days later the United Kingdom Government put forward certain proposals in this Committee.¹⁵ This led to the suggestion that the Secretary-General should be asked to prepare an experts' report on chemical and biological weapons and the effects of their possible use; and this most valuable report,¹⁶

⁹ *Ante*, p. 12.

¹⁰ CCD/PV.450, p. 18.

¹¹ *Documents on Disarmament, 1969*, pp. 507-509.

¹² CCD/PV. 444, pp. 23-27.

¹³ A/C.1/PV. 1694, pp. 23 ff.

¹⁴ *Documents on Disarmament, 1966*, pp. 798-799.

¹⁵ *Ibid.*, 1968, pp. 569-571.

¹⁶ *Ibid.*, 1969, pp. 264-298.

published at the beginning of July 1969, has undoubtedly had the effect of focusing attention on chemical and biological warfare here, in the United Nations and in the world at large.

18. The United Kingdom has given most serious consideration to the problems connected with chemical and biological warfare. As the Committee knows, we have concluded that the most promising way of making early progress is to work for a separate agreement providing for the prohibition of biological methods of warfare and the destruction of biological agents and ancillary equipment. Even so, it was not easy to formulate the provisions of a possible international agreement; and we have been much encouraged by the compliments of some of my colleagues on the draft convention which we eventually presented to the Committee.¹⁷ I know, however,—this became very clear both here and in New York—that it is the wish of many members of this Committee to discuss the prospects of progress on chemical and biological warfare together; and I said in the United Nations that we were ready to fall in with the wish of the majority. I hope that the considerable expertise that we have acquired in this field as a result of our special studies over the last two years will be of use to the Committee. It will certainly be at their disposal.

19. A most important development in this field which I have already welcomed elsewhere is, of course, the decision of the President of the United States to submit the 1925 Geneva Protocol to Congress for ratification, to renounce unilaterally the possession of biological weapons and to destroy stockpiles of those weapons.¹⁸ I warmly welcome this imaginative and courageous step, which constitutes a positive act of disarmament—the actual destruction of weapons of war. It is an act of the kind which we are all working to achieve, and one which, in the field of biological weapons, our draft convention would provide for under international agreement. I hope that the example that has been set will be followed by other governments and that it will give impetus to our efforts to add an important measure of arms control and disarmament to the achievements of this Committee.

20. Finally, I should like to say a few words about the answer given in the United Kingdom Parliament by the Foreign and Commonwealth Secretary on 2 February on the scope of the Geneva Protocol as regards the use of tear gas in war. If any members of the Committee would like to have copies of the actual answer which he gave in Parliament, my delegation can provide these. What Mr. Stewart did was to reaffirm the British Government's position as stated in 1930 that "tear gases and shells producing poisonous fumes are . . . prohibited under the Protocol." But he went on to say that modern technology has developed CS smoke which, unlike the tear gases available in the

¹⁷ *Ibid.*, pp. 431 ff.

¹⁸ See *ibid.*, pp. 590-593, 764-765.

1930s, is not considered to be significantly harmful to man in other than wholly exceptional circumstances and that, accordingly, we regard CS and other such gases as being outside the scope of the Geneva Protocol.¹⁹

21. We gave long and detailed consideration to this matter in view of the very wide interest which was displayed at the last summer session of this Committee as regards the scope of the Geneva Protocol. The use of such substances as CS, if British troops were ever called upon to use them in war, would provide opportunities to save lives and not to kill, particularly when innocent civilians may be involved. They would not, so far as we are concerned, be used in a manner inconsistent with the generally-accepted rules of war. It would be shortsighted, in our view, to deny armed forces the use in war of perhaps the only non-lethal weapon in their armoury and thus to compel the use in certain circumstances of more drastic measures. Now I know that the use of tear gas is at present very much in the minds of everyone concerned with arms control and disarmament; but I believe that the Committee would be doing itself a disservice if it devoted time and attention to seeking to outlaw a substance like CS at the expense of concentrating on the whole range of lethal weapons of war in national arsenals.

22. I have not put forward today any specific proposals on the matters which are currently before the Committee, but I look forward to doing so at a later date. I have been mainly concerned to speak in support of the message of encouragement given to us yesterday by the Secretary-General of the United Nations. His presence here marked the beginning of the world's first Disarmament Decade, and it is now our task to see that we live up to the high expectations that have been raised.

Joint American-Soviet Communique on Peaceful Uses of Nuclear Explosions, February 20, 1970¹

On 12-17 February 1970 Soviet-American Technical Talks on the use of nuclear explosions for peaceful purposes were held in Moscow. These talks were a continuation of technical talks on the same subject held in Vienna in April 1969.

The Soviet delegation to the talks was led by the First Vice Chairman of the USSR State Committee for Utilization of Atomic Energy, I. D. Morokhov. The American delegation to the talks was led by Commissioner of the US Atomic Energy Commission, T. J. Thompson.

During the talks the two sides discussed various aspects of

¹⁹ *The Times* (London), Feb. 3, 1970, p. 1.

¹ *Department of State Bulletin*, Mar. 16, 1970, pp. 343-344.

possible peaceful applications of nuclear explosions and presented reports on experimental nuclear explosions.

The talks revealed a unanimity of views on the potentialities of using nuclear explosions for oil and gas field stimulation, for building underground cavities and water reservoirs in regions where required, digging canals, for stripping overburden in open-cut mining operations, for dealing with emergency situations involving oil and gas wells and for other purposes.

Considerable attention was given to an exchange of views on safety aspects of underground nuclear explosions for peaceful purposes.

The delegations agreed that the exchange of views and information was very useful. They concluded that it would be desirable to continue such talks in the future. It was agreed that in the course of future talks it would be desirable to exchange research and engineering data obtained in the course of implementation of the national programs. In this connection special attention should be given to the safety aspects of conducting underground nuclear explosions for peaceful purposes.

Recognizing an important role to be played by the IAEA in the future in assisting the utilization of potential benefits from peaceful nuclear explosions by non-nuclear weapons countries, the two sides expressed their intention to promote appropriate scientific and technical studies within the framework of the IAEA, and in light of Article V of the NPT (which ensures that potential benefits from any peaceful applications of nuclear explosions will be made available to the non-nuclear weapons states adhering to the Treaty).²

Statement by Secretary of Defense Laird to the Senate Armed
Services Committee [Extract], February 20, 1970¹

II. STRATEGIC FORCES

Our strategic forces—both offensive and defensive—account for about 12 percent of the total FY 1971 Defense budget, but their vital importance to our security, and, indeed, the security of the entire Free World, far transcends their relative cost. These forces unquestionably provide the basic foundation of our deterrent.

² *Documents on Disarmament*, 1968, pp. 461-465.

¹ *Authorization for Military Procurement, Research and Development, Fiscal Year 1971, and Reserve Strength. Hearings Before the Committee on Armed Services, United States Senate, Ninety-first Congress, Second Session, on S. 3367 and H.R. 17123 To Authorize Appropriations During the Fiscal Year 1971 for Procurement of Aircraft, Missiles, Naval Vessels, and Tracked Combat Vehicles, and Research, Development, Test, and Evaluation for the Armed Forces, and To Prescribe the Authorized Personnel Strength of the Selected Reserve of Each Reserve Component of the Armed Forces, and for Other Purposes*, pt. 1, pp. 29-38.

The U.S. has 41 POLARIS submarines. At current construction rates, the Soviets could have from 35 to 50 of the "Y" Class submarines by 1974-75.

The Soviets also have a number of older, smaller, diesel-powered ballistic missile submarines, such as the "G" Class submarine.

Heavy Bombers.—The heavy bomber force of the Soviet long range air force has remained relatively stable over the past few years. It is currently believed to consist of about 200 BISON and BEAR aircraft, of which about 50 are configured as tankers. Some of these aircraft are equipped with air-to-surface missiles (ASMs). There is no evidence that the Soviets are developing a new heavy bomber.

Medium Range and Intermediate Range Ballistic Missiles (MR/IRBMs).—The Soviets have operationally deployed about 700 MRBM/IRBM launchers. Most of the launchers are located in the Western USSR, and comprise the principal strategic threat to targets in Europe. This force probably has remained relatively static in numbers of launchers for the past several years. The Soviets probably will effect qualitative improvements to the force as time progresses. It appears they are investigating the use of solid propellants for MR/IRBMs.

Medium Bombers.—The medium bomber component of the Soviet long range air force consists of some 700 aircraft, some of which are believed equipped with ASMs. There have been reports which indicate that the Soviets have gone forward with a new type bomber, capable of medium range, and with better speed, altitude and radius of action than the Blinder.

b. Strategic Defensive Forces—Air Defense.—The Soviets have introduced a number of new interceptor aircraft into their inventory over the past several years. They now have several thousand fighters in their air defense system. Their aircraft are capable of supersonic speeds and are armed with the latest air-to-air rockets and missiles. Their latest, the FOXBAT, is capable of speeds nearly three times the speed of sound. The Soviet Union has extensive all-weather surface-to-air missile coverage. The latest system, utilizing the SA-5 missile, is being installed in various locations to supplement already existing SAMs.

Ballistic Missile Defense.—Soviet ballistic missile defense consists of long range radars around the periphery and an ABM system deployed at Moscow. The system at Moscow consists of some 60 launchers designed to fire a long range, high altitude interceptor missile. Deployment at Moscow is nearly complete.

The Soviets have an active ballistic missile research and development program designed to improve the present system or to develop substantially better second-generation ABM components. We now have hard evidence that they are testing an improved long-range ABM. They are also expanding their radar surveillance coverage.

2. Chinese strategic forces

As in the Soviet case, Chinese strategic forces are comprised of both offensive and defensive components. Expansion of both components has been progressing and is expected to continue in the foreseeable future. On the offensive side, the threat is currently limited to air-delivered nuclear weapons, but an operational medium-range ballistic missile could be deployed at any time. They probably also are seeking improvement of defensive forces by deploying increased numbers of surface-to-air missiles (SAM) and fighter interceptors.

a. Strategic Offensive Weapons—Intercontinental Ballistic Missiles (ICBMs).—The start of flight testing for an ICBM is expected during 1970. Such a program would require at least three years before an operational system could be deployed. It is more likely, however, that as many as two to three additional years would be required. If flight testing began in the near future, the Chinese might have as many as 10-25 ICBMs in 1975. The estimated range would be about 6,000 miles. A solid propellant rocket motor may eventually be developed for an ICBM. Although construction of a solid propellant manufacturing facility has been completed, it is believed that a solid propellant ICBM would not be ready for deployment before 1975.

Medium Range Ballistic Missiles (MRBMs). The Chinese probably intend to deploy the MRBM. Deployment will probably come sometime in 1970, and by the mid-1970s, China could have a force of 80-100 MRBMs. Based on the fourth nuclear test, the Chinese might be able to deploy an MRBM with a warhead of approximately 20 KT. The missile will probably have a range of up to 1,000 miles.

Bombers. The air-delivered nuclear threat consists of a few TU-4s, several TU-16s, and some IL-28s. The TU-16 will probably be the principal aircraft for nuclear delivery in the future, eventually replacing the older models.

Submarines. Although the Chinese possess a conventionally powered ballistic submarine, there is no significant threat at this time from a submarine launched ballistic missile.

b. Strategic Defensive Weapons.—The Chinese strategic defensive system is composed of radar, interceptor aircraft, and possibly some surface-to-air missiles.

C. Strategic Force Planning

Both the Soviet Union and the Chinese Communist strategic nuclear threats, as presently projected through the mid-1970s, have important implications for our own strategic force planning.

Even if the Soviet Union follows a "low force-low technology" approach, described in the Appendix,³ during the next few years,

³ Not printed here.

A. *The Strategic Situation*

The President has just reported to Congress and the American people on United States foreign policy. Incorporated in his report was a discussion on United States strategic policy and the strategic environment.² Therefore, in this report, I would like to cover only those factors of specific concern to the Department of Defense--the strategic threat, United States strategic force planning, and those programs which we propose for FY 1971.

The difficult task before us is to derive a proper balance of forces appropriate to fulfill our objectives in the current and future strategic environment.

B. *The Threat*

The situation caused by the continuing rapid expansion of Soviet strategic offensive forces is a matter of serious concern. For some time, the Soviet forces which became operational in a given year have often exceeded the previous intelligence projections for that year.

The projections for ICBM and SLBM strengths for mid-1970 and mid-1971 have been revised upward in each of the past five years as additional information on Soviet deployments has become available. For example, the current estimates of total operational Soviet ICBM and SLBM launchers expected by mid-1970, when compared with the projections for mid-1970 made last year, show an increase of well over 100 launchers. The same basic trend is evident in the projections for 1971.

The fact that our projections have not reflected all of the growth in Soviet offensive missile strength over the past several years is less important than the actual magnitude of this threat. In a separate Appendix to this report, we include a discussion of the strategic threats, which is summarized in the pages that follow. During the forthcoming year, changes can be expected.

1. Soviet strategic forces

Soviet strategic offensive forces include intercontinental ballistic missiles (ICBMs), ballistic missile submarines, heavy bombers, medium range and intermediate range ballistic missiles (MR/IRBMs), and medium bombers.

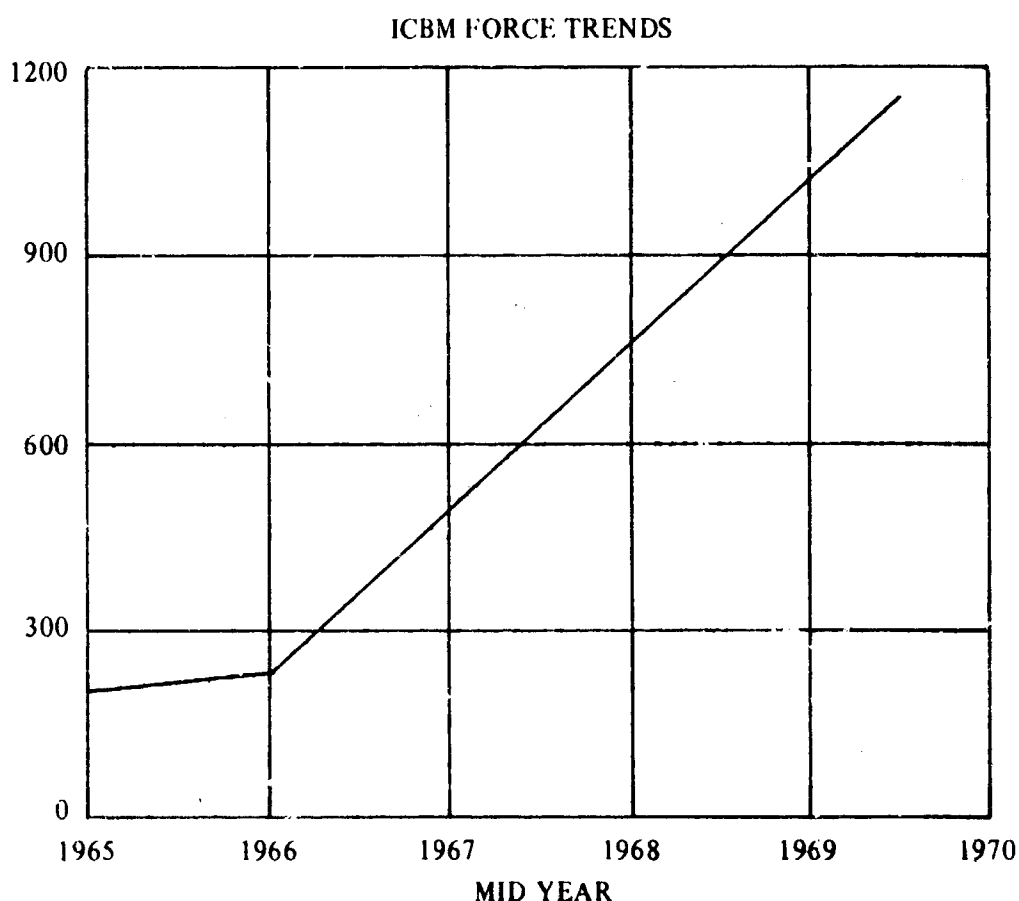
Soviet defensive forces, which are the most extensive in the world include interceptor aircraft, surface-to-air missiles (SAMs), and ballistic missile defense (BMD). The interceptor aircraft and SAMs, together with the necessary air warning facilities, are considered air defense forces.

a. *Strategic Offensive Forces--Intercontinental Ballistic Missiles (ICBMs).*—The Soviets now have more operational ICBM launchers, over 1,100, than the United States, 1,054. It is projected that

² See *ante*, pp. 20-25.

there will be over 1,250 operational ICBMs on launchers by mid-1970. More than 275 of these Soviet launchers presently operational or under construction are the large SS-9.

The change brought about by the Soviets in their strategic missile force is readily apparent when we recall that they had only about 250 ICBM launchers in 1966. At current deployment rates, they will markedly improve the numerical advantage they already possess. In addition to quantitative increases, the Soviets are actively working on qualitative improvements, for example, their testing of multiple reentry vehicles with the SS-9.



Ballistic Missile Submarines.—The Soviets have continued their priority construction program for the Y-class ballistic missile submarine. This submarine, which is similar to the U.S. POLARIS submarine, carries 16 missiles with a range in excess of 1,200 n.m. The Y-class submarine is in series production at a large facility near Severodvinsk and possibly at another smaller yard. It is estimated that these two facilities can accommodate a total of 12 complete hulls and that they are producing as many as eight submarines per year. As production experience is gained, it is possible that the rate of output from these two facilities will increase significantly. Based on a construction rate of up to eight units per year it is believed that there are currently several Y-class units operational.

it could still have almost 2,000 reentry vehicles in its ICBM force by the mid-1970s. This force, alone, would be more than enough to destroy all U.S. cities of any substantial size. More than half of the U.S. population lies within range of the growing Soviet SLBM force. And, of course, in defense planning, we must also take into account the Soviet bomber force, which is expected to decline only gradually in the near term.

In view of the magnitude of the current Soviet missile threat to the United States, and the prospects of future growth in quantity and quality, we have concluded that a defense of our population against that threat is not now feasible. Thus, we must continue to rely on the retaliatory power of our strategic offensive forces to deter the Soviet leaders from launching a nuclear attack on our cities.

But, if we are to rely on these forces for deterrence, we must be sure that they can at all times and under all foreseeable conditions inflict decisive damage upon the Soviet Union, or any combination of aggressors, even after our forces have been subjected to an all-out nuclear surprise attack. The frequently debated question as to whether or not the Soviets are deliberately seeking to achieve a "first-strike" capability against the United States is an important but not the crucial issue in this context. What is crucial is whether they could achieve such a capability in the future. In any event, in evaluating the adequacy of our strategic forces we must always provide for the possibility that the Soviet Union might launch a surprise attack against the United States—particularly if it might assure a more favorable outcome for them. Our strategic forces are primarily designed to deter such an attack. Thus, regardless of how we interpret Soviet intentions, we still must deal with Soviet capabilities in assessing the sufficiency of our strategic forces for deterrence—now and in the future.

Our forces must be adequate to ensure that all potential aggressors are convinced that acts which could lead to nuclear attack or nuclear blackmail pose unacceptable risks to them.

Our latest analyses of strategic force effectiveness indicate that the presently programmed U.S. forces should be able to provide an adequate deterrent for the near term. For the longer term, there is less certainty that our present capability will remain adequate.

Should the Soviets follow a "high force-high technology" approach, also described in the Appendix, during the next several years, they could pose not only an overwhelming threat to our cities but also a very formidable threat to our land-based missile forces and bombers.

The rapidly growing Soviet SLBM force does not now constitute a significant threat to our land-based missiles. But, without ABM defense of our bomber bases, by 1972 it could constitute a severe threat to the pre-launch survival of our bomber forces. Under these circumstances, the warning time for our bomber bases located near the coasts could be considerably reduced. With

considerably less warning, even our alert bombers could be vulnerable.

According to our best current estimates, we believe that our POLARIS and POSEIDON submarines at sea can be considered virtually invulnerable today. With a highly concentrated effort, the Soviet Navy today might be able to localize and destroy at sea one or two POLARIS submarines. But the massive and expensive undertaking that would be required to extend such a capability using any currently known ASW techniques would take time and would certainly be evident.

However, a combination of technological developments and the decision by the Soviets to undertake a world-wide ASW effort might result in some increased degree of POLARIS/POSEIDON vulnerability beyond the mid-1970s. I would hope that POLARIS would remain invulnerable at least through the 1970s. But, as a defense planner, I would never guarantee the invulnerability of any strategic system beyond the reasonably foreseeable future, say 5-7 years.

That is one of the reasons why we are proceeding with the research and development for a new sea-based missile system, the Undersea Long-Range Missile System (ULMS). The new, longer range missile proposed for this system would greatly increase the submarine operating area, thereby making the ASW problem much more difficult from the ocean search and logistic support standpoints. With their long range missiles, these ships could be based in the U.S., and their weapons could be maintained in an "on target" status during the entire deployment period of the submarines.

The foregoing discussion relates to what is frequently called "pre-launch survivability" of U.S. strategic forces, or the number of weapons that would survive an initial Soviet attack and be available for retaliation. We are also concerned about another aspect of survivability, that of ensuring penetration of our weapons through the defenses in the target area.

The Soviet ballistic missile defense system currently deployed around Moscow could destroy some arriving U.S. reentry vehicles. Although this system, by itself, would not significantly degrade a large U.S. retaliatory strike, it must be taken into account in our planning. Moreover, the Soviets are developing new ABM components about which we as yet know little. We will need to watch this program closely (just as we must continue to review the SA-5 SAM system) for possible impact on U.S. retaliatory penetration capabilities.

We are proceeding with a program to place MIRVs on our MINUTEMAN and POSEIDON missiles. We consider this program essential to preserve the credibility of U.S. deterrent forces when faced with the growing Soviet strategic threat. The MIRV program will provide a number of small, independently-targetable warheads on a single missile. Should part of our missile force be unex-

pectedly and severely degraded by Soviet preemptive actions, the increased number of warheads provided by the remaining MIRV missiles will ensure that we have enough warheads to attack the essential soft urban/industrial targets in the Soviet Union. At the same time, the MIRV program gives us increased confidence in our ability to penetrate Soviet ABM defenses, even if, as noted above, part of our missile force were destroyed.

We must consider bomber penetrability as well. Although the combined surveillance, interceptor and SAM programs of the Soviet Union account for a significant and continuing investment of resources, we believe that this network is currently susceptible to penetration by U.S. bombers using appropriate tactics and penetration aids. However, if the Soviets improve their air defenses with a "look-down, shoot-down" intercept system, including both surveillance and intercept aircraft, the penetration capability of our bomber force could be seriously eroded.

To meet the threat of a more sophisticated Soviet air defense, a number of alternatives are available. We are moving forward with the Short Range Attack Missile (SRAM) program, and we propose to continue the development of a new Subsonic Cruise Armed Decoy (SCAD) for our bomber forces in FY 1971.

The main component of our current bomber force, the B-52, represents early 1950 technology. It has been, and remains today, a useful weapon. We believe that under normal conditions of maintenance and usage, and with certain modifications now programmed, the effective life of some of our B-52s can be extended at least until the late 1970s or early 1980s.

We propose to move forward into engineering development of a new intercontinental jet bomber, the B-1. This aircraft, in comparison with the B-52, is designed to have greatly improved basing survivability, a smaller radar cross section, reduced infrared signature, lower penetration altitudes, higher penetration speed and a greater payload. It, therefore, should be more effective than the B-52 against a markedly improved Soviet air defense.

The potential Soviet threat to the pre-launch survival and penetrability of a large part of our strategic offensive forces in the mid-1970s is evident. How fast and how extensively it will develop is still uncertain, and of course, there is always the unforeseen - for which we cannot specifically plan. But when possible Soviet actions or technological developments threaten any of the components of our deterrent forces, steps must be taken to counter that threat. If a component apparently is becoming highly vulnerable, alternative measures must be planned to ensure the necessary level of confidence in our deterrent force. Considering the leadtimes involved, it is essential that we be in a position to respond promptly to the threat as it actually emerges in order to preserve our national security.

The Chinese Communist strategic nuclear threat to the United States is of a different character from that of the Soviet Union,

quite apart from the fact that it is still a potential and not an actual direct threat to the United States. If the Chinese deploy an ICBM force, as our intelligence community believes they will, it would constitute a counter-city threat as far as the United States is concerned. The Chinese force, for many years to come, will be far too small and will lack the accuracy to pose a threat to our strategic offensive capability.

Nevertheless, even a small and relatively unsophisticated Chinese Communist nuclear force could make an important difference in the world balance of power, particularly once it includes an ICBM capability. In the near term, the Chinese Communists, with their nuclear forces, could threaten their neighbors and United States forces on Mainland Asia and in the Western Pacific. Should they seek a sea-launched missile capability, they could threaten Alaska, Hawaii, and perhaps even the Continental United States. Once they achieve even a small ICBM capability, they will be able to threaten CONUS directly. With a force of only 25 ICBMs, for example, each with a three MT warhead and just a 40 percent reliability, the Chinese could inflict on the United States about 11-12 million fatalities—if we had no ABM defense against them.

The main problem, therefore, is the potential capability of China to threaten serious damage to a vulnerable U.S. through nuclear attack, and thereby reduce the credibility of our Asian commitments.

Given our interests and obligations in Asia and the Western Pacific, we have two basic alternatives available to us:

(1) We can rely on our strategic offensive forces for deterrence of Chinese nuclear attack on the U.S. or its allies. If, nonetheless, we are presented with a Chinese ultimatum to let them have their way in Asia or risk a first-strike nuclear attack on a U.S. city, the President would be confronted with the terrible choice of backing down in Asia, risking the destruction of U.S. cities and loss of American lives, or initiating a strike against Chinese ICBMs before they are launched.

(2) We can supplement and sustain the deterrent value of our offensive forces by deployment of a ballistic missile defense system to protect our cities and population against the Chinese Communist ICBM threat.

President Nixon has assured our Asian allies that our nuclear shield extends to them. The credibility of that shield would be greatly enhanced if our Asian allies knew that because of a SAFEGUARD defense the Chinese Communists had virtually no prospect of blackmailing the United States by threatening American cities.

Furthermore, there are several fundamental differences in the problem of deterring Communist China with our strategic offensive forces as compared with the Soviet Union.

While it is true that a large part of their industrial capacity is

also concentrated in a relatively few cities, Communist China, in contrast to the Soviet Union, and for that matter the United States, is predominantly a rural society and only a relatively small proportion of the population is urban. This major demographic difference between the United States and the Soviet Union on the one hand, and Communist China on the other, is highlighted in the table below.

CUMULATIVE PERCENTAGE DISTRIBUTION OF POPULATION AND INDUSTRIAL CAPACITY IN 1970 (NUMBER OF CITIES IN ORDER OF POPULATION RANK)

Number of cities	United States		Soviet Union		Communist China	
	Population	Industrial capacity	Population	Industrial capacity	Population	Industrial capacity
10.	25.1	33.1	8.3	25.0	3.7	30-35
50.	42.0	55.0	20.0	40.0	6.8	50-60
100.	48.0	65.0	25.0	50.0	8.6	65-75
200.	55.0	75.0	34.0	62.0	9.0	80-90
400.	60.0	82.0	40.0	72.0	10.0	85-90
1,000.	63.0	86.0	47.0	82.0	11.0	....

Some have contended that a relatively small number of warheads detonated over China's 50 largest cities could destroy half of their urban population and more than half of their industry, as well as most of their key government officials and a large majority of their scientific, technical and skilled workers. This amount of destruction, they maintain, should be a sufficient deterrent to an attack by Communist China on the U.S.

However, there are other ways the Chinese Communists might use their nuclear capability—as a threat to the U.S. or our friends in Asia—and while the fact that we can destroy a sizeable proportion of Chinese urban population and industrial capacity is important, it may not necessarily be decisive in this latter case.

China is predominantly a rural society where the great majority of the people live off the land and are dependent only to a limited extent on urban industry for their survival. The key government officials and even the skilled workers can be evacuated from the cities in time of crisis. The Chinese are taking steps to decentralize their industry.

In contrast to China, our population is heavily concentrated in a relatively few large cities—25 percent in the 10 largest U.S. cities compared with 11 percent in the 1,000 largest Chinese cities. Consequently, they could inflict on us a proportionately greater number of fatalities in a small attack than we could inflict on them in a very large attack. Finally, in any nuclear confrontation with Communist China, we would still have to maintain a sufficient deterrent against the Soviet Union. These are problems that we have under review at the present time.

We recognize apparent Chinese ambitions for political hegemony in Asia, and their indicated hostility towards the U.S. However, we do not expect them to resort to overt aggression to achieve their political purpose in Asia. Nevertheless, in view of the

nature of the developing Chinese nuclear threat, it would seem foolhardy on our part to rely on our deterrent forces only—if a better alternative is available.

A flexible SAFEGUARD defense would serve a future President far better than a rigid offensive capability. As President Nixon said: "No President with the responsibility for the lives and security of the American people could fail to provide this protection."⁴ It is crucial that we provide a more complete counter to this potential Chinese threat and, with SAFEGUARD, we have the option to do so.

D. *Safeguard*

The evident and continuing threats from the Soviet Union and Communist China force upon us the necessity of continuing progress on the SAFEGUARD anti-ballistic missile defense system in FY 1971. We hope SALT will lead to a reduced Soviet threat but, meanwhile, it is essential to preserve, as far as possible, all available strategic force options in this transitional budget year. As I indicated earlier, without the SAFEGUARD increment provided by this budget, we would be faced now with the hard decisions about adding immediately to our offensive systems rather than being able to await hoped-for progress in SALT. I will be discussing with you in more detail the elements of the President's decision to go forward with a Modified Phase II of the defensive SAFEGUARD program at our next meeting. At this point, permit me to summarize the essential factors that compel us to go forward with a second increment of SAFEGUARD in FY 1971. The decision of the Administration to request continuation of an orderly phased SAFEGUARD program for ballistic missile defense—going beyond the Congressionally approved Phase I—was based on:

Careful consideration of the original objectives of SAFEGUARD defense, and of the need to maintain the President's flexibility on future options to either curtail or expand the system.

The continued Chinese progress in nuclear weapons.

The evolving and increasing Soviet offensive weapon threat.

Our determination to strengthen possibilities for a successful Strategic Arms Limitation agreement.

The options currently available, considering technical progress and budgetary factors.

The current international situation.

Our desire to continue emphasis on strategic *defensive* systems rather than being forced to deploy additional *offensive* weapons or to be forced to move forward now, with making a portion of our MINUTEMAN force mobile.

⁴ *Documents on Disarmament*, 1969, p. 104.

1. SAFEGUARD objectives and the decision

President Nixon, on March 14, 1969, announced the following defense objectives for SAFEGUARD.

"1. Protection of our land-based retaliatory forces against a direct attack by the Soviet Union.

"2. Defense of the American people against the kind of nuclear attack which Communist China is likely to be able to mount within the decade.

"3. Protection against the possibility of accidental attacks from any source."⁵

He further elaborated that:

"... We will provide for local defense of selected MINUTEMAN missile sites and an area defense designed to protect our bomber bases and our command and control authorities. . . .

"... By approving this system, it is possible to reduce U.S. fatalities to a minimum level in the event of a Chinese nuclear attack in the 1970's, or in an accidental attack from any source."⁶

As the President has indicated, rather than focusing on a single purpose, SAFEGUARD has been and continues to be designed to achieve *several* objectives against a combination of Soviet and Chinese threats.

The President also stated that "this program will be reviewed annually from the point of view of (a) technical developments, (b) the threat, and (c) the diplomatic context including any talks on arms limitation."⁷ And, as he reminded the nation in his report on foreign policy, we also promised last year that "each phase of the deployment will be reviewed to ensure that we are doing as much as necessary but not more than that required by the threat existing at that time."⁸

In accordance with this commitment, information was developed on various alternative courses for consideration, and a thorough review has been accomplished by the Department of Defense, including the Joint Chiefs of Staff (JCS), by the National Security Council, and the Defense Program Review Committee (DPRC). These reviews led to the President's decision that a further but carefully measured and modified defensive deployment should be requested in FY 1971.

2. Communist Chinese threat

Communist China has continued to test nuclear weapons suitable for missiles. Estimates of the date by which they might have an initial ICBM capability vary from 1973 to the mid-1970s.

⁵ *Ibid.*, p. 105.

⁶ *Ibid.*, p. 104.

⁷ *Ibid.*, p. 102.

⁸ *Ibid.*, p. 105, *ante*, pp. 24-25.

In either case, we must proceed with the area coverage of SAFEGUARD if we are to protect our population from this threat in the late 1970s.

As a further point, however, regarding the Chinese threat, the President made it clear that we are concerned with the very likely prospect of the Chinese gaining an operational capability within the next ten years. Our past history has shown that where we have avoided important decisions and there is a dramatic revelation of adversary progress affecting our security, the American people and the Congress rightfully have become aroused and have demanded immediate and forceful but expensive responses on a crash basis. SPUTNIK was a good example.

We know that the Chinese have the capability of testing an ICBM in the immediate future and that they are likely to have an operational capability in the next several years. A measured and orderly deployment of SAFEGUARD, taking only the minimum steps necessary to preserve our ability to meet the threat as it evolves, is both the most prudent and most economical course we can pursue.

3. Soviet threat to our MINUTEMAN deterrent force

As described earlier, it is apparent that the growth of Soviet forces could present a severe threat to the survival of the MINUTEMAN and bomber forces by the mid-70s. We are now faced with the following possibilities concerning MINUTEMAN.

(a) That the Soviets do not increase the deployment of the SS-9 and the SS-11, do not develop a MIRV for the SS-9, and do not improve ICBM accuracy. Under these circumstances there is no need for a defense of the MINUTEMAN force.

(b) That the Soviets stop building ICBMs beyond those now operational or started: they do not develop a MIRV for the SS-9; but they do improve the accuracy of their entire ICBM force. Under these circumstances, the force could constitute a threat to the MINUTEMAN force and SAFEGUARD would be quite effective against that threat.

(c) That the Soviets deploy a MIRV on the SS-9, improve their ICBM accuracy, and do not stop building ICBMs at this time, but continue building them at their present rate. We would then be faced in the mid-70s with a threat which is much too large to be handled by the level of defense envisioned in the SAFEGUARD system without substantial improvement and modification.

The above factors presented us with a most difficult decision involving three basic choices:

(1) Should we react to the threats which are possible for the mid-70s and pay, beginning immediately, the cost of this concern?

(2) Should we hope that the threat is only modest and stay with the present SAFEGUARD deployment?

(3) Should we assume there will be no serious threat and do nothing?

To be perfectly candid, Mr. Chairman, it must be recognized that the threat could actually turn out to be considerably larger than the SAFEGUARD defense is designed to handle. That is one reason we have decided to pursue several courses which should lead to less expensive options for the solution to this problem than expanding SAFEGUARD to meet the highest threat level. We have further decided to continue deployment of SAFEGUARD because the additional cost needed to defend a portion of MINUTEMAN is small if the full area defense is bought. SAFEGUARD can also serve as a core for growth options in defense of MINUTEMAN, if required.

If, in the future, the defense of MINUTEMAN has to be expanded, new and smaller additional radars placed in MINUTEMAN fields would be less costly than the SAFEGUARD Missile Site Radar (MSR) because they would not have to cover such large areas. For this reason, we will pursue a program to determine the optimum radar for such a defense and begin the development of this radar and associated components in FY 1971. At the same time, the Air Force will pursue several other options for solving the survivability problem of the landbased missile systems. These will include several concepts involving the MINUTEMAN missile on transporters, in one case a system in which the missile can be moved rapidly into one of many hard shelters—the shelter-based MINUTEMAN. The Air Force will also continue to examine the value of increasing the hardness of the silos in which MINUTEMAN is now based or could be based. These are all research and development programs only, in the FY 1971 budget.

There are, then, several options. The SAFEGUARD defense will serve as a nucleus. We can add a hardpoint defense system if necessary or we may later choose to base part of the force in a different basing concept than the present force. Proceeding with further deployment of SAFEGUARD in FY 1971 postpones the necessity of committing ourselves now either to a mobile MINUTEMAN (on land or afloat) or to further hardening of MINUTEMAN silos. However, should the Soviet threat continue to grow beyond levels that can be reasonably handled by active defense, I can assure this Committee that I will not hesitate at any time to recommend accelerated development of ULMS should the nature of the threat warrant it in the future. As you know, Mr. Chairman, it was my amendment to the Defense Appropriation Bill in the late 1950s that accelerated the development and deployment of POLARIS.

In summary, our decision now to proceed with further deployment of SAFEGUARD gives us another year in which to pursue SALT without ourselves exacerbating the arms control

environment through actions on offensive systems. We can do this while still providing a hedge against moderate threats and an option to meet, if necessary, a heavier threat.

Also, the production of Soviet nuclear-powered ballistic missile submarines is continuing at two shipyards. By the mid-1970s the Soviets will probably have a submarine force capable of destroying most of our alert bomber and tanker force before it can fly to safety. This same submarine force threatens our National Command Authorities. We need the SAFEGUARD area defense to blunt the first few minutes of such an attack so that our bombers can escape and our command system can execute its prime function. Otherwise, we must turn to expensive alternatives such as rebasing or continuous airborne alert.

4. Strategic arms limitations considerations

Naturally, the recommendation we are making for the continued but carefully limited deployment of SAFEGUARD defenses is in full recognition that Strategic Arms Limitation Talks with the Soviets will resume in April for the discussion of many complex issues. Among the factors that have led us to recommend this measured and modified continuation are both the continued growth of the Soviet strategic threat to the United States, and the fact that many possible agreements with the Soviet Union could include some form of missile defense—which would be consistent with our national security objectives and the legitimate security interests of the Soviet Union. The decision to begin a modified Phase 2 deployment does not preclude an agreement on low ABM levels.

In addition, it must be borne in mind that the Soviets have no control over the Communist Chinese, whose threat we must therefore cope with regardless of SALT. As President Nixon recently stated: "Ten years from now, the Communist Chinese, among others, may have a significant nuclear capability . . . then it will be very important for the United States to have some kind of defense so that nuclear blackmail could not be used."⁹

An orderly, measured, flexible but ongoing SAFEGUARD defense program will help maintain our relative positive position in SALT and improve the chances for a successful outcome.

An important part of our proposed program is its flexibility. It can be modified as required by changes in the threat which result from arms limitation agreements or unilateral actions by the Soviets or Chinese Communists. In the meantime, it is essential that we continue this defensive program.

E. Summary

We have made no irrevocable decisions with regard to new strategic force programs. The FY 1971 Budget is a transition

⁹ *Weekly Compilation of Presidential Documents*, Feb. 2, 1970, p. 96.

budget. It is designed to preserve the basic capabilities we currently have while retaining key options until a clearer picture of the future strategic environment emerges. This should come from our own continuing review and from such other factors as SALT and the changing threat.

The strategic offensive forces we plan to maintain in FY 1971 include 552 B-52 and FB-111 bombers, 1,000 MINUTEMAN and 54 TITAN II ICBM launchers, and 656 POLARIS and POSEIDON SLBM launchers; the strategic defensive forces will include about 650 manned interceptors, and about 1,400 surface-to-air missiles on site.

A summary of selected major strategic programs and associated funding proposed for FY 1971 is contained in the following table:

	<i>Dollars in millions</i>
Initiation of engineering development of Advanced Manned Strategic Aircraft (B-1, AMSA)	100
Initial Procurement of Short Range Attack Missile (SRAM) and continued development of Subsonic Cruise Armed Decoy (SCAD)	297
Continued Procurement of MINUTEMAN III missiles and MINUTEMAN force modernization	686
R&D on MINUTEMAN hardening and rebasing concepts	77
Conversion of six SSBMs to POSEIDON configuration	1,017
Advanced Development of the Undersea Long-Range Missile System (ULMS)	44
Continuation of engineering development on Airborne Warning and Control System (AWACS)	87
Development and Deployment of new satellite strategic surveillance system	219
Continued deployment of SAFEGUARD	1,490

**Statement by the Netherlands Representative (Eschauzier) to the
Conference of the Committee on Disarmament: Comprehensive
Work Program, February 24, 1970¹**

I should like to introduce briefly the working paper on a comprehensive programme of work with a view particularly to disarmament which is submitted by my delegation today.² My delegation was prompted to submit this paper in response to suggestions made by the representative of Sweden, Mrs. Myrdal, in her statement on 18 February.³ On that occasion Mrs. Myrdal spoke of the necessity to increase the productivity of our Committee and to quicken its pace. One method to achieve this would be to avoid, to the extent possible, the reiteration of statements that have already been made, sometimes on several occasions, containing views which can therefore be regarded as well known.

67. The Netherlands delegation devoted part of its first statement in this Committee on 7 August 1969 to the basic

¹ CCD/PV. 452, pp. 23-26.

² *Infra*.

³ CCD/PV. 450, pp. 11 ff.

objective of the Committee, namely general and complete disarmament.⁴ It also dwelt on the Committee's programme of work in the closing paragraphs of a statement made on 25 November 1969 during the general debate in the First Committee of the twenty-fourth session of the General Assembly.⁵ We have therefore ventured to set out in greater detail the thoughts we expressed on those occasions and to present to this Committee a working paper containing some introductory remarks on steps towards a comprehensive disarmament programme.

68. In doing so we hope to make a modest contribution by drawing attention at an early stage of the current session to the broad facets which may have to be considered in connexion with the formulation of a comprehensive programme of work in the context of the Disarmament Decade. Of course, we have no intention of being presumptuous, and we realize that the list of topics covered in our paper is far from complete; nor do we, in raising certain questions, provide all the answers. It simply occurred to us that the preliminary results of our own mental exercise could perhaps serve some useful purpose if presented in the guise of a concise document.

69. I think I owe it to the Committee to make a brief survey of the contents of our working paper; but I shall not tax the patience of my colleagues for very long. The first four paragraphs are a recapitulation of past events and I shall not dwell on them. Paragraph 5 deals with the request to this Committee contained in General Assembly resolution 2602 E (XXIV).⁶ It is, in fact, the mandate given to us to work out a comprehensive programme dealing with all aspects of the problem of the cessation of the arms race and general and complete disarmament under effective international control.

70. In paragraph 6 we recall that the Committee was of the opinion that the balance ought to be maintained between various measures to prevent armament, to limit armament and of disarmament. The following paragraphs deal with those three aspects of the question. As regards the first category, some measure of success has been achieved. As to the limitation of nuclear armaments, our paper stresses the importance of the strategic arms limitation talks which are now about to be resumed. At the same time it is suggested that efforts should be made in the meantime to further new agreements on other measures in the field of arms limitation.

71. There is a close relationship and interdependence between SALT and a comprehensive test ban. The Netherlands delegation is of the opinion, nevertheless, that early preparatory work for close international co-operation in the seismological field should continue to receive high priority in this context. Therefore we

⁴ CCD/P. 426, pp. 24-26.

⁵ A/C. I/PV. 1699, p. 36.

⁶ *Documents on Disarmament, 1969*, pp. 713-715.

attach great importance to the implementation and follow-up of the General Assembly resolution on a world-wide exchange of technological data.⁷ It also remains our opinion that the question of a cut-off of the production of fissionable materials for military purposes should be examined more closely by the Committee, as we pointed out during the meeting of 28 August 1969.⁸ Proposals to that effect were also made by other members of the Committee during our last session.

72. My delegation also feels that, pending final results of the bilateral talks on vertical non-proliferation, new and continued efforts should be made to prevent horizontal proliferation. We think that during this session of the Committee the curtain could be raised on the Disarmament Decade by reaching agreement on the final text of a treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and the subsoil thereof.

73. By way of interpolation, it occurs to me that the important problem of the establishment of nuclear-free zones is not explicitly mentioned in our working paper. I wish to reiterate my gratitude to the delegation of Mexico for the comprehensive documentation⁹ which it put at the disposal of the Committee during our last session and which is attached to the Committee's last report to the General Assembly.¹⁰

74. I should also like to recall that after due consideration the Conference of Non-Nuclear Weapon States, which convened a few years ago in this very city, recommended in one of its resolutions the establishment of nuclear-free zones in areas where "political and security conditions permit".¹¹ I think this restriction is still very pertinent and that it is for the countries of the region in question to decide themselves what course of action they wish to take in this respect.

75. Measures of non-armament and arms limitation would in our opinion not be limited to the nuclear field. In this connexion reference is made in our working paper to the question of chemical and biological warfare. We also think that, within the framework of the Disarmament Decade, efforts should be made to reduce and eliminate the conventional arms races. It would appear that concrete negotiations on real disarmament measures can only usefully start when the preparatory phase of partial measures and confidence-building has been sufficiently successful. This, however, does not exclude attention being devoted during the preparatory phase to the problems of general and complete disarmament.

76. If, as has been suggested, it is felt that the Joint Statement of Agreed Principles of 1962 [1961]¹² should be updated, then it is

⁷ *Ibid.*, pp. 719-722.

⁸ CCD/PV. 432, pp. 17-18.

⁹ CCD/268, Sept. 15, 1969.

¹⁰ *Documents on Disarmament*, 1969, pp. 517-526.

¹¹ *Ibid.*, 1968, pp. 673-674.

¹² *Ibid.*, 1961, p. 1.

preferable, in the opinion of the Netherlands delegation, that this be done in the form of an additional formulation rather than as a restatement of those principles, thus leaving the standing and validity of the joint declaration of 1962 [1961] fully intact.

77. My delegation restates its view that measures of arms control and disarmament are closely linked with further developments and progress in the over-all political world situation; and in this connexion I should like to point out that the work of the Committee is therefore also interrelated with that of the Committee on friendly relations and of the Committee on peace-keeping.

78. In the closing paragraphs of the working paper we touch on the problem of possible studies on general and complete disarmament. Several alternative approaches are mentioned, which will undoubtedly be discussed more fully by the Committee.

79. The last paragraph contains the arguments for and the reaffirmation of our position that it would be undesirable to establish too rigid a programme of work for the next ten years or to assume that it will be possible strictly to adhere to precise schedules and fixed time limits. Of course, this does not apply to the provisions of a draft treaty on general and complete disarmament, in which a certain sequence of measures to be carried out within specific periods of time is of the essence.

80. In conclusion, my delegation would like to assure the members of the Committee that it addresses its attention to the problem as a whole with an open mind. We shall be glad to benefit from the views of our colleagues on how the important task entrusted by the General Assembly to the Committee can best be accomplished. In this connexion I should like to say that my mind has been put at ease somewhat since I listened to the very wise remarks just made by the Chairman, who spoke on this subject with the full authority of one of the most senior and most experienced members of this Committee. I am encouraged, and I think it would not be amiss to say that our points of view in general did not seem too far apart and in some respects are almost identical.

81. Finally, I should like to revert briefly to Mrs. Myrdal's speech of 18 February. The representative of Sweden recommended that the practice of holding informal meetings occasionally should be continued during our current session.¹³ I think this is a very valuable suggestion, particularly since we are about to tackle some new and highly complex problems. These may well be clarified by informal exchanges of views or the hearing of experts in informal sessions.

¹³ CCD/PV. 450, p. 12.

Netherlands Working Paper Submitted to the Conference of the Committee on Disarmament: Steps Toward a Comprehensive Disarmament Program, February 24, 1970¹

1. In resolution 1722 (XVI) of 20 December 1961 by which the General Assembly endorsed the agreement reached on the composition of the ENDC, it was recommended that the new Disarmament Committee should undertake negotiations with a view to reaching, on the basis of the joint statement of agreed principles, agreement on general and complete disarmament under effective international control.² The Committee should in its work take into account, *inter alia*, paragraph 8 of the aforementioned principles.

2. Paragraph 8 of the agreed principles stipulates that efforts should continue without interruption until agreement upon the total programme for general and complete disarmament has been achieved. Furthermore, efforts should be undertaken to ensure early agreement on and implementation of measures of disarmament without prejudicing progress on agreement on the total programme and in such a way that these measures would facilitate and form part of that programme.

3. Since then progress has been made first and foremost in the field of collateral measures. But for reasons which are well known the hope that the main task of the Committee could be dealt with without interruption, "as a matter of the utmost urgency" (Res. 1722 (XVI)), remained unfulfilled.

In the course of its existence the Committee "gradually concentrated more of its efforts on the partial and confidence-building, or collateral measures of disarmament, as they are usually called, than on general and complete disarmament".³ This trend is discernible in the Provisional Agenda of work of the Committee, adopted in August 1968.⁴ Likewise, in its report to the XXIVth session of the United Nations General Assembly, the Committee recognizes "the relationship of the various measures already achieved and those currently being considered toward the *ultimate goal* of general and complete disarmament under effective international control".⁵

4. Mainly as a result of the initiatives of the Romanian delegation⁶ and of the Secretary-General of the United Nations,⁷ the XXIVth session of the General Assembly declared the

¹ CCD/276, Feb. 24, 1970.

² See *Documents on Disarmament*, 1961, pp. 439-442, 741-742.

³ U.N. Office of Public Information, *The United Nations and Disarmament, 1945-1965* (U.N. pub. 67.1.8), p. 115.

⁴ *Documents on Disarmament*, 1968, pp. 583-584.

⁵ *Ibid.*, 1969, p. 526.

⁶ ENDC/PV. 400, p. 22.

⁷ *UN Monthly Chronicle*, July 1969, p. ii.

seventies as a Disarmament Decade. Disarmament and social and economic development are the main objectives of all mankind for the coming years.

5. In the relevant resolution the General Assembly endorses the view that general and complete disarmament is the ultimate goal. Toward that end, the Assembly requests this Committee:

1. to continue intensive negotiations with a view to reaching the widest possible agreement on collateral measures;

2. to work out a comprehensive programme, dealing with all aspects on the problem of the cessation of the arms race and general and complete disarmament, under effective international control, which would provide the Committee with a guideline to chart the course of its further work and its negotiations.⁸

6. In its last report to the General Assembly the Committee expressed its conviction of the continued need to give highest priority in its work to further effective measures relating to the cessation of the nuclear arms race at an early date and to nuclear disarmament, with due consideration to maintaining a balance among various measures to prevent armament, to limit armament and of disarmament.⁹ As regards the first category some measure of success has been achieved.

7. As to the second the most hopeful event during the Committee's past session was the announcement in Moscow and Washington that discussions on the limitation of offensive strategic nuclear weapons delivery systems and systems of defense against ballistic missiles would start shortly.¹⁰

The Netherlands delegation fully shares the opinion that the strategic arms limitation talks, which had a promising beginning, are of the utmost importance. They may create a new and more rational relationship in the strategic balance of the two super-powers. Their successful outcome would certainly facilitate the conclusion of further measures in the field of armaments limitation and ultimately of disarmament.

8. This should not imply, however, that no efforts are to be made in the meantime to further new agreements on such other measures. Although it is understood that there is a close relationship and interdependence between SALT and a comprehensive test ban, the Netherlands Delegation is nevertheless of the opinion that early preparatory work for a close international co-operation in the seismological field should continue to receive high priority in this context. Without prejudice to the eventual shaping of a verification system in a comprehensive test ban treaty, methods of seismological detection and identification will in any case constitute a fundamental element of such a system.

⁸ *Documents on Disarmament*, 1969, pp. 713-715.

⁹ *Ibid.*, p. 522.

¹⁰ *Ibid.*, p. 404.

Therefore, the Netherlands Delegation attaches great importance to the implementation and follow-up of the General Assembly Resolution on a world-wide exchange of seismological data.¹¹

It remains of the opinion that the question of a cut-off of the production of fissionable materials for military purposes should be examined more closely by the Committee.¹²

9. The Netherlands Delegation shares the view of the Italian Delegation as expressed in documents ENDC/245 and ENDC/263 that pending final results of the bilateral talks on vertical non-proliferation new and continued efforts should be made to prevent horizontal proliferation.¹³ During this session of the Committee the curtain on the Disarmament Decade could be raised by reaching agreement on the final text of a treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the seabed and the ocean floor and in the subsoil thereof.

10. Measures of non-armament and arms limitation certainly contribute to the creation of a climate of mutual confidence, which may pave the way to reach the final objective of general and complete disarmament. But apart from being an aid to "confidence-building", such measures have, of course, also an intrinsic merit of their own. They should not be limited to the nuclear field.

Much time of this Committee will certainly be devoted to the conclusion of new agreements regarding chemical and biological warfare.

Within the framework of the Disarmament Decade, efforts should also be made to reduce and eliminate conventional arms races. In this respect attention should be paid to the increasing build-up of arsenals and to the international trade in conventional armaments. The S.I.P.R.I. Yearbook of World Armaments and Disarmament gives an alarming picture of the dangers involved.

11. Finally, with regard to the third category mentioned in paragraph 6, it would appear that concrete negotiations on real disarmament measures can only start fruitfully, when the preparatory phase of partial measures and confidence building has been sufficiently successful.

This, however, does not exclude that during the preparatory phase attention be devoted to the problems of general and complete disarmament. In this respect the joint statement of agreed principles still serves its purpose of being a guideline for the disarmament process as a whole. Nevertheless, as suggested by the Italian Delegation in ENDC/245, it might be considered whether this statement could be suitably supplemented. In the opinion of the Netherlands Delegation this should preferably be done in the

¹¹ *Ibid.*, pp. 719-722.

¹² CCD/PV. 432, pp. 17-18.

¹³ *Documents on Disarmament, 1969*, pp. 189-191, 426-430.

form of an additional formulation rather than as a restatement of those principles, thus leaving the standing and validity of the joint declaration of 1961 itself intact.

12. The implementation of a comprehensive programme in the field of arms control and disarmament is closely linked with further developments and progress in the overall political world situation. The three cornerstones are: Disarmament, International Security and Peace.

During our last session several delegations referred to United Nations General Assembly resolution 2454 (XXIII) requesting this Committee to renew its effort to make progress toward general and complete disarmament.¹⁴ The Netherlands Delegation is of the opinion that during the preliminary phase studies could take place on the question of general and complete disarmament. The Indian Delegation called on the United States and the USSR to submit revised versions of their draft treaties concerning general and complete disarmament.¹⁵ The Polish Delegation proposed more specifically that the two Co-Chairmen prepare a new draft for the *first* stage of disarmament.¹⁶ An alternative approach might also be considered by the Committee, namely to start with an examination of the characteristics and requirements of the *final* stage of a process of general and complete disarmament. On the basis of such a study it could be tried subsequently to trace out a route along which this final stage can be reached. A similar method was proposed by the Swedish Delegation as far back as 1964.¹⁷ Perhaps it could offer the advantage of getting a better insight in the political requirements and structural needs of a disarming world.

13. The consideration of a comprehensive programme inevitably raises the questions of priorities and deadlines. In this connexion reference should be made to the proposal of Sweden for "balanced package deals"¹⁸ and of India for a "selective approach".¹⁹

It is, of course, in the nature of things, when there is a whole range of topics, to establish some sort of order of priorities. However, in the opinion of the Netherlands delegation such a list can only be of a very tentative character. It should be flexible and may be subject to change—as has already been shown in the past—in as much as the political realities of the moment require. One should not overlook that the "partial measures" which have been adopted or are now under discussion, are, in fact, elements of different stages of the proposals for general and complete disarmament.

¹⁴ *Ibid.*, 1968, pp. 795-796.

¹⁵ For the Indian statement, see ENDC/PV. 404, pp. 16-17. The Soviet and U.S. plans appear in *Documents on Disarmament*, 1965, pp. 77-102, 111-140.

¹⁶ ENDC/PV. 406, pp. 5-6.

¹⁷ *Documents on Disarmament*, 1964, pp. 298-306.

¹⁸ ENDC/PV. 397, pp. 25 ff.

¹⁹ ENDC/PV. 404, pp. 14-15.

The very character of *negotiations* on arms control and disarmament is ill suited to set any meaningful timetables in the context of a "Decade". It remains to be seen what the net result will be at the end of the ten year period. No amount of pressure, nor the best efforts of the Committee to meet certain "target" dates can alter that fact. It is unlikely that a precise schedule and fixed time spans would be helpful in achieving the very goal we are trying to reach. It would therefore be undesirable to establish too rigid a programme of work or to assume that it will be possible strictly to adhere to any particular pattern.

Of course, it is a quite different matter to agree on a certain sequence of measures, to be carried out within specified periods of time, in a *Treaty* on General and Complete Disarmament.

**Statement by the Mexican Representative (Garcia Robles) to the
Conference of the Committee on Disarmament: Nuclear-free
Zones, February 26, 1970¹**

In my intervention of 17 February I took the liberty of analysing four of the questions referred to the Committee which, for the reasons that I then explained, appeared to us to deserve attention in priority.²

32. I should like today to deal very briefly with another question which also appears on our programme of work, namely that of nuclear-free zones. The establishment of such zones is undoubtedly an effective measure of nuclear disarmament. It necessarily implies, in fact, the complete prohibition of nuclear weapons in the territories of all States parties to the treaty under which the zone is established. The reason why I did not include this question in the summary review I gave in my earlier intervention was not that I do not attach sufficient importance to it, but rather that for the creation of any such zone, as is well known, the consent of States whose territories will be encompassed in the zone is an essential prerequisite. This situation has unfortunately not yet arisen except in Latin America, as the representative of Sweden pointed out last week³ in terms for the generosity of which, as a national of one of the countries in that part of the new continent, I wish to express my thanks. I likewise express our thanks to the representative of Italy, who also has just commended the Treaty of Tlatelolco.⁴

33. That is why, in dealing with this question, I think I ought to confine myself to considering some of the more pertinent aspects of the only nuclear-free zone which exists in territories

¹ CCD/PV. 453, pp. 13-17.

² CCD/PV. 449, pp. 23 ff.

³ CCD/PV. 450, p. 16.

⁴ *Documents on Disarmament*, 1967, pp. 69 ff.

densely populated by man—that is, the nuclear-free zone established by the Treaty on the prohibition of nuclear weapons in Latin America, the Treaty of Tlatelolco.

34. In this connexion, and to supplement the information provided by my delegation at the meetings of the Committee held on 3 July⁵ and 9 September of last year⁶ and in the working paper CCD/268 of 15 September 1969, I should like to add that both the Final Act of the preliminary meeting for the constitution of the Organization for the Prohibition of Nuclear Weapons in Latin America (REOPANAL) and a collection of all the resolutions adopted at the first part of the first session of the General Conference of that organization (OPANAL) have been reproduced as documents of the General Assembly of the United Nations bearing the symbols A/7639 of 28 August 1969 and A/7581 of 23 September 1969, which will facilitate consultation of them in any of the official languages of the Organization.

35. I should like also to inform the members of the Committee that the number of States parties to the Treaty—which are automatically members of OPANAL—has grown to fifteen, Guatemala having joined on 6 February of this year the fourteen States listed in the two documents I have just mentioned which had already deposited their instruments of ratification and declarations of total waiver of requirements under article 28 of the Treaty.

36. Lastly, it is also desirable to point out that the United Kingdom, the Government of which deposited on 11 December 1969 its instrument of ratification of Additional Protocol II of the Treaty,⁷ has become the first nuclear-weapon State party to the Protocol. I would add that on the same date the United Kingdom became party to Additional Protocol I.⁸ I would not wish to let this opportunity pass without reiterating to the representative of the United Kingdom the great appreciation of the Government of my country—which I have already had the opportunity to express in the First Committee of the General Assembly and which I am sure also reflects the sentiments of the other States parties to the Treaty of Tlatelolco—of this new gesture designed to facilitate the achievement of the noble aims of the Treaty.

37. Similarly, we feel that this is the moment to recall that ratification of Additional Protocol II, to which I have just referred, has been the subject of two resolutions of the General Assembly of the United Nations and of one of the Conference of Non-Nuclear Weapon States. In this last resolution, resolution B, the Conference laid particular stress on its conviction that “for the maximum effectiveness of any treaty establishing a nuclear-weapon-free zone, the co-operation of the nuclear-weapon States is necessary”, and moreover stressed that this “co-operation

⁵ ENDC/PV. 416, p. 20.

⁶ CCD/PV. 435, pp. 5-7.

⁷ *Documents on Disarmament, 1967*, p. 83.

⁸ *Ibid.*, p. 82.

should take the form of commitments likewise undertaken in a formal international instrument which is legally binding, such as a treaty, convention or protocol”⁹. In the three resolutions of which I have been speaking—the other two being General Assembly resolutions 2286 (XXII)¹⁰ and 2456 B (XXIII)¹¹—the nuclear-weapon Powers were urged in almost identical terms “to sign and ratify as soon as possible Additional Protocol II of the Treaty of Tlatelolco”.

38. Furthermore the General Assembly, in its resolution 2499 A (XXIV)/Rev. 1 adopted during its last session on 31 October and entitled “Celebration of the twenty-fifth anniversary of the United Nations”, agreed to address an appeal—

...to all Member States to give urgent consideration to the ratification of, or accession to, a number of multilateral instruments which have been adopted, endorsed or supported by the United Nations.¹²

In this connexion it should be noted that among the antecedents of this resolution is the list transmitted by the Secretary-General to States Members in document A/7712, in section III of which is included under item 3 Additional Protocol II of the Treaty of Tlatelolco.

39. Let us hope that the nuclear Powers which have not yet done so—and which unfortunately are in a majority, since Additional Protocol II has been ratified by only one of them, the United Kingdom, as I informed the Committee a few moments ago, and signed by only one more, the United States—will decide to heed the appeal of the General Assembly which I have just mentioned and which strengthens its many earlier exhortations.

40. Many reasons could be adduced in favour of the nuclear Powers making without delay the contribution once again requested of them by the body authorized to represent the international community. Among these reasons I will select the following by way of example:

41. First, through the Treaty of Tlatelolco there already exists today in the world a nuclear-free zone embracing territories covering an area of about six million square kilometres and containing a population of about one hundred million, both of which will grow as the number of States parties to the Treaty increases.

42. Second, on 2 September 1969 there was established in the City of Mexico the Organization for the Prohibition of Nuclear Weapons in Latin America (OPANAL), at a solemn ceremony which the Secretary-General of the United Nations, U Thant, honoured with his presence and at which he said among other things that in a world which often seems dark and ominous the

⁹ *Ibid.*, 1968, pp. 672-674.

¹⁰ *Ibid.*, 1967, pp. 620-621.

¹¹ *Ibid.*, 1968, p. 799.

¹² General Assembly *Official Records: Twenty-fourth Session, Supplement No. 30* (A/7630), pp. 1-2.

Treaty of Tlatelolco will shine like a beacon; that it surpasses in the scope of its prohibitions and provisions for control the Treaty on the Non-Proliferation of Nuclear Weapons,¹³ and that the creation of the zone is fully in accordance with the Purposes and Principles of the Charter of the United Nations.

43. Third, the obligations that Additional Protocol II of the Treaty entails for the nuclear Powers are in substance no more than the application to a specific or concrete case of the obligations assumed under the United Nations Charter, since they are limited to an undertaking to respect "the status of denuclearization of Latin America in respect of warlike purposes" and "not to use or threaten to use nuclear weapons against the Contracting Parties of the Treaty".¹⁴

44. The fourth and last example I want to give is this. Three years have already elapsed since both the Treaty and its Additional Protocols were opened for signature on 14 February 1967. Of course we realize only too well that this situation is like that of the bilateral negotiations between the United States and the Soviet Union, concerning which I said in my statement of 17 February that the Committee as such could apparently not intervene, at least for the present.¹⁵ However, as in that case and for the same reasons, we believe that the other members of the Committee are in duty bound to state their opinions on this question and to urge the nuclear Powers which are members of our negotiating body to delay no longer compliance with the appeals repeatedly addressed to them by the General Assembly in its resolutions.

45. My delegation is convinced that all the resolutions of the General Assembly command equal respect and that it is not logical, much less legally justifiable, for each delegation to choose arbitrarily to cite for the purpose of our debates those resolutions that suit its own views while feeling free to disregard all the others.

46. In conclusion, I should like to announce to the members of the Committee that we shall shortly be handing to the Secretariat a brief addendum bringing up to date the working paper entitled "Establishment of nuclear-free zones" submitted by us last year and reproduced as document ENDC/241 of 24 March 1969.

Statement by ACDA Director Smith to the House Foreign Affairs Committee: Arms Control and Disarmament Act Amendments, February 26, 1970¹

Mr. Chairman and members of the committee, I am pleased to have this opportunity, which is my first, to appear before you

¹³ *Documents on Disarmament*, 1968, pp. 461-465.

¹⁴ *Ibid.*, 1967, p. 83.

¹⁵ CCD/PV. 449, p. 29.

¹ *Arms Control and Disarmament Act Amendments, 1970: Hearing Before the Committee on Foreign Affairs, Ninety-first Congress, Second Session*, pp. 2-5.

in support of my Agency's requested legislative program. I am aware of the strong and effective backing given ACDA by this committee in past years.

My philosophy on arms control could not be better expressed than in the words of President Nixon in his February 18 report to Congress on "United States Foreign Policy for the 1970's."

The President said:

There is no area in which we and the Soviet Union—as well as others—have a greater common interest than in reaching agreement with regard to arms control.

The traditional course of seeking security primarily through military strength raises several problems in a world of multiplying strategic weapons.

Modern technology makes any balance precarious and prompts new efforts at ever higher levels of complexity.

Such an arms race absorbs resources, talents, and energies.

The more intense the competition, the greater the uncertainty about the other side's intentions.

The higher the level of armaments, the greater the violence and devastation should deterrence fail.

For these reasons I decided early in the Administration that we should seek to maintain our security whenever possible through cooperative efforts with other nations at the lowest possible level of uncertainty, cost, and potential violence.²

As part of this effort, the President has requested an authorization for ACDA of \$17.5 million for the 2-year period of fiscal years 1971 and 1972. This compares with \$18.5 million authorized by Congress for the expiring 2-year period. Of that \$17.5 million total, \$8.3 million is programmed for fiscal year 1971 (made up of \$6.3 million for program operation and \$2 million for external research and field testing), and \$9.2 million will be requested for fiscal year 1972 (made up of \$6.7 million for program operation and \$2.5 million for external research and field testing).

The planned increase of \$0.9 million in fiscal year 1972 over fiscal year 1971 (consisting of \$400,000 more for program operations, \$255,000 more for external research, and \$245,000 more for field testing), would result in a total level of funding somewhat less than the \$9.5 million actually appropriated for fiscal year 1970.

The projected level of funding for program operations in fiscal year 1972 is a continuation of the level of funding in fiscal year 1971, but provides for such things as mandatory increases in personnel compensation and benefits, and anticipated new program requirements arising out of SALT negotiations and the Geneva Conference of the Committee on Disarmament (CCD).

The projected level of fiscal year 1972 funding for external research and field testing reflects anticipated requirements growing out of SALT, and chemical, biological, and conventional arms control. Projected external research plans for the entire authorization period are described in our presentation book in sections beginning on pages 18 and 22. In addition, a table on page 21 shows planned funding allocations by research category.

² *Ante*, p. 27.

The external research program of the Agency has decreased since fiscal year 1966—from \$5.8 to \$2.5 million in the planned fiscal year 1972 budget. During the 2 years of the expiring authorization (fiscal years 1969 and 1970), the funding for external research totaled \$6.5 million.

Of that amount, approximately \$1.8 million was for field testing and \$4.7 million for other external research—a figure well below the \$7 million ceiling imposed by Congress on external research (other than field testing) in our last authorization.

Despite the uncertainties in anticipated needs within the proposed authorization period, the total requested amount is, as I have already noted, less than the amount authorized by Congress for the expiring authorization period. There are a number of factors that have contributed to this decrease.

When I assumed the job as Director of the Agency early last year, we began an assessment of our contract research program in the light of present and foreseeable requirements. Since its establishment, the Agency has conducted a research program designed to support our role in the development of national policies, to support negotiations, and to contribute to the fund of knowledge, called for in section 31 of the Arms Control and Disarmament Act.³

It has contracted with universities, research institutions, industries, and other governmental agencies to obtain the technical competence and expertise not available in the Agency. At the same time, it has carried on a significant amount of in-house research.

A very substantial basic fund of knowledge has now been acquired. There will, of course, be a need to continue to supplement and update that knowledge, a need that will vary with circumstances. Some of this work can be done in-house; the rest, for which we do not have appropriate in-house capabilities, will involve external contracts as in the past.

But we felt it prudent to pause and fully digest what had been done. This pause is reflected in the programmed decrease of our fiscal year 1971 research budget to \$2 million out of a total budget request of \$8.3 million.

Given the current effort we are devoting to SALT and the promising developments in this area, it might well be asked, why doesn't the ACDA research budget go up rather than down? ACDA has devoted a significant part of its research effort over the past few years to subjects directly related to SALT, and we thereby acquired a substantial body of background information and expert understanding of the central problems.

In addition, I would like to emphasize the governmentwide effort related to SALT which has greatly facilitated ACDA's SALT preparations. The extensive resources of other Government

³ *Documents on Disarmament*, 1961, p. 485.

agencies have been brought to bear on this complex subject. For example, my Agency has been able to tap the internal and external research capabilities of CIA and DOD in our preparation for SALT. I would like to note there that in this interagency process the results of critical research have been and continue to be exchanged and in a spirit of frankness and cooperation.

We will continue, of course, to devote a substantial amount of our research funds to SALT related matters, in order to insure that we continue to have an adequate independent basis for our own evaluations and judgments. The ACDA research effort combined with the products available to us from other Government agencies will provide the necessary background data and analyses for ACDA's SALT efforts. In short, I believe the authorization requested would provide adequate funds to meet our research needs for SALT and other efforts.

We are proposing an amendment to the Arms Control and Disarmament Act in our legislative program which will provide for the uniform compensation of assistant directors of ACDA.

Section 24 of the Arms Control and Disarmament Act provides for four assistant directors of the agency to be appointed by the President and confirmed by the Senate. One of the four has always been a military officer, detailed to the agency on a reimbursable basis from one of the armed services, as authorized by subsections (a) and (c) of section 41 of the act. In filling this position he holds the grade of vice admiral or lieutenant general.

Level V of the executive salary schedule applies to the four assistant directors of the agency. The annual compensation of level V executives is currently \$36,000 per annum. Two of the incumbent assistant directors are from the civil service, another is a Foreign Service officer, class I, and the fourth is presently an Army lieutenant general.

The Foreign Service officer is paid the full salary of a level V executive, even though this is substantially in excess of the compensation of other Foreign Service officers of his class. This is authorized by section 571(c) of the Foreign Service Act of 1946, as amended.⁴ The military officer detailed from the Army is the only assistant director who does not currently receive the level V salary. Special legislative authority is required to pay that salary.

The practice of having a senior military officer serve as head of our Weapons Evaluation and Control Bureau brings valuable professional military experience and judgment to the center of our arms control efforts, and we would like to continue the practice. I want to get the best officer I can for this job, and I would not want it in any way to appear as a second class post in our Agency.

The proposed amendment would remove an inequity in the salary scale of assistant directors. Precedent exists for such legislation, in positions filled by the military in both the AEC (42

⁴ 22 USC 961(c).

U.S.C. 2038) and CIA (50 U.S.C. 403 (b)). Another precedent was the position of Chairman of the Civilian-Military Liaison Committee in NASA (42 U.S.C. 2474 (d)), prior to the abolition of that committee in 1965.

Now I would like to turn briefly to that aspect of our program operation that relates to negotiations. The expiring authorization period has probably encompassed more far-reaching arms control developments than any other period in history. After years of negotiations, agreement on the Non-Proliferation Treaty was reached in calendar 1968.⁵ And within the last year, in addition to the commencement of SALT, the United States signed the Non-Proliferation Treaty instrument of ratification, announced new policies on chemical and biological arms control; and adopted new approaches which make it likely that we will soon be able to conclude a multilateral treaty to keep the nuclear arms race from spreading to the seabeds.

SALT will resume in Vienna on April 16. If both sides continue in the same serious businesslike manner reflected in the preliminary Helsinki talks, the prospects for achieving some constraints on strategic arms competition appear brighter than they have in the past.

Strategic arms control is an extremely complex subject; meaningful agreements to curb strategic arms competition will not be easily achieved. However, we believe it may be possible to reach agreements which would be in our mutual security interest. Our efforts will be directed toward reaching such agreements as soon as possible.

In the multilateral search for effective arms control measures, the United Nations will continue to play an important role. Because of the inherent difficulties of working out arms control agreements in such a large forum, however, the United States and U.S.S.R. found it useful to establish conference machinery linked to, but not a part of, the United Nations.

This machinery, which had its start in the Ten-Nation Disarmament Committee, evolved into the Eighteen-Nation Disarmament Committee (ENDC), and is now the Conference of the Committee on Disarmament (CCD). Additional countries were brought into the CCD in 1969 through an enlargement of the Committee from 18 to 26 members.

The site for the discussions is Geneva where, since 1962, the United States and the U.S.S.R. have cochaired the Conference. The United States believes this body will continue to play an essential role in reaching multilateral arms control agreements.

Completion of the seabeds arms control treaty, chemical and biological arms control, and the question of a complete ban on the testing of nuclear weapons are likely to be the most prominent issues under discussion at the CCD during 1970. Prospects for

⁵ *Documents on Disarmament, 1968*, pp. 461-465.

these negotiations are treated more fully in the presentation book prepared for the Committee's use.

Mr. Chairman, the agency has had the privilege on several occasions of briefing this committee on SALT. The committee has also been kept apprised of other negotiating developments in the arms control field. I would like to close by saying that I appreciate the committee's help in the pursuit of our country's arms control objectives. We hope that we can continue to merit your support and I respectfully request that committee to approve our current legislative program.

**Statement by the Soviet Representative (Roshchin) to the
Conference of the Committee on Disarmament: Chemical and
Bacteriological Weapons, March 3, 1970¹**

Among the disarmament measures under consideration by our Committee is the question of banning the production and stockpiling of chemical and bacteriological (biological) weapons. Speaking here on 18 February, the representative of Sweden, Mrs. Myrdal, called this "our most urgent task".² The representative of Mexico, Mr. Garcia Robles, in his statement at the first meeting of this session, called upon the Committee to submit to the next session of the General Assembly a draft convention prohibiting the development, production and stockpiling of all types of chemical and bacteriological weapons and providing for the destruction or the diversion to peaceful purposes of existing stockpiles of those weapons of mass destruction.³

45. One cannot but share that view and that concern. A solution to the problem of the complete prohibition and destruction of chemical and bacteriological weapons would be of immense importance, from the standpoint both of saving mankind from the horrors of a war in which chemical and bacteriological weapons were used, and of advancing the cause of disarmament as a whole. In its statement of 17 February the Soviet delegation pointed out that the conclusion of such a convention between the States of the world was an important and urgent measure.⁴ The reason for this is primarily that, despite widespread condemnation of chemical and bacteriological agents of warfare, a number of countries are still actively engaged in the development and production of such weapons and their stockpiles are growing to threatening proportions, which makes the use of such weapons in military conflicts more and more probable. Furthermore, it should be borne in mind that chemical and bacteriological weapons have

¹ CCD/PV. 454, pp. 17-25.

² CCD/PV. 450, p. 17.

³ CCD/PV. 449, pp. 25 ff.

⁴ *Ante*, pp. 14-16.

now been created the use of which could cause incalculable harm to human beings.

46. Well-known cases of the use of poisonous substances have caused deep anxiety and the justified indignation of all mankind. Whatever kind of chemical agents were used, whether they were lethal or irritant, tear gases or defoliants, in the final analysis all of them were directed against human beings, combatants and peaceful civilians alike. The target of chemical and bacteriological weapons is man. And this, above all, constitutes the exceptionally dangerous feature of these weapons, which insistently poses the question of the need for their speedy elimination from the arsenals of States.

47. The very fact that such weapons exist and continue to be developed breeds mistrust in relations between States and aggravates the international situation. Attention has been drawn to this fact, in particular, by the authors of the report recently published by the World Health Organization on chemical and biological weapons, to which the representative of Bulgaria, Mr. Christov, has just referred. The document states, among other matters—

The ... reciprocal fears between nations might contribute in turn to a proliferation of chemical and biological weapons and an accelerated arms race, resulting in vastly increased danger of accidental or deliberate release of chemical and biological agents.

... As long as chemical and biological research directed specifically to military use is continued, it will be considered necessary by some countries to continue research towards detection of and protection against such agents. This research could in itself point to agents more destructive than those now existing. In view of the power of existing agents in conditions favourable to their use and the possibility of developing new and even more dangerous weapons, it is imperative to find ways of abolishing any presumed need for this militarily orientated research as soon as possible.⁵

48. The demand for measures aimed at the complete elimination of chemical and bacteriological agents of warfare from the life of the human community has now become universal. Governments, politicians, people of different views and convictions and world-famous scientists are insisting on it. Last September a group of Soviet scientists working in the field of medicine stated:

We, Soviet physicians, appeal with a firm hope that our joint efforts, supported by all who cherish the peace and happiness of future generations, will be able to save mankind from the threat of chemical and bacteriological war... It is our duty to ensure that the United Nations adopts urgent measures prohibiting the development, production and stockpiling of chemical and bacteriological weapons.⁶

49. The prohibition of the production and stockpiling of chemical and bacteriological weapons and their destruction is a timely step which will undoubtedly meet with the approval of world public opinion. That prohibition will be the next logical act after the Geneva Protocol of 1925, prohibiting the use in war of chemical weapons and bacteriological agents,⁷ and will eliminate for ever one of the dangerous types of weapons of mass destruction.

⁵ World Health Organization, *Health Aspects of Chemical and Biological Weapons: Report of a WHO Group of Consultants* (Geneva, 1970), p. 20.

⁶ *Pravda*, Sept. 13, 1969, p. 4.

⁷ *Documents on Disarmament*, 1969, pp. 764-765.

50. In its resolution 2603 B (XXIV) the General Assembly requested the Conference of the Committee on Disarmament to give urgent consideration to reaching agreement on prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and on their destruction.⁸ Thus the Committee on Disarmament now has before it an absolutely concrete and definite practical task — that of reaching agreement on the text of a corresponding international convention. The fulfilment of that task is facilitated to a considerable extent by the fact that, on the initiative of the socialist countries, the question of the complete prohibition of chemical and bacteriological weapons was discussed in detail at the last session of the General Assembly. Many delegations expressed their views on this problem and stated in particular what in their view the contents of such a convention should be. The course of the discussion at the General Assembly and its results enable important conclusions to be drawn in this regard.

51. One of these conclusions is that the majority of States agree with the approach proposed by the socialist States: namely the need for a simultaneous prohibition of both chemical and bacteriological weapons. That point of view was expressed in particular by the representatives of India, Nigeria, Brazil, Japan and a number of other States. Thus the representative of India, Mr. Husain, speaking at the twenty-fourth session of the General Assembly, said:

It is the firm view of the Indian delegation that both types of weapons should be dealt with together or simultaneously⁹

. . . we share the view expressed by a number of delegations that the General Assembly should ask the Conference of the Committee on Disarmament to give urgent consideration to the conclusion of an agreement on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons, and on the elimination of existing stocks of such weapons, taking into account the need for both weapons to be dealt with simultaneously.¹⁰

52. In supporting such an approach in this matter, the representative of Japan recalled the view expressed earlier by Japan in the Committee on Disarmament that "chemical and biological weapons have much in common and should be banned all together."¹¹

53. The representative of Brazil, Mr. de Araujo Castro, noted in his statement at the twenty-fourth session of the General Assembly regarding the United Kingdom proposal to ban at first only bacteriological weapons, that—

The arguments for that procedure put forth by the British delegation in Geneva and in New York have not been convincing enough to rally a significant number of supporters. Both methods of warfare, chemical and bacteriological, have traditionally been considered in the same context, as, for instance, in the Geneva Protocol of 1925.¹²

⁸ *Ibid.*, pp. 717-719.

⁹ A/C. 1/PV. 1706, pp. 19-20.

¹⁰ *Ibid.*, p. 22.

¹¹ A/C. 1/PV. 1697, pp. 53-55.

¹² A/C. 1/PV. 1692, p. 21.

In resolutions 2603 A and B (XXIV), which were adopted at the last session of the General Assembly, the question of chemical and bacteriological weapons is in point of fact also considered not separately but as a single problem.¹³ As is well known, many delegations in the Committee on Disarmament have expressed themselves, also at its present session, in favour of a joint approach to consideration of the problem of chemical and bacteriological weapons. The representative of the United Arab Republic, Mr. Khallaf, said in his statement of 24 February:

As regards the draft convention submitted by the nine socialist countries, we are gratified to note that it is comprehensive inasmuch as it deals with both chemical and biological weapons. This conforms to our basic position on the subject, which favours the treatment of these weapons simultaneously.¹⁴

54. In our view, such an approach to the problem of chemical and bacteriological weapons is a natural and logical one. It is justified from every point of view – scientific, military, political and practical. Despite certain differences in the very nature of chemical and bacteriological weapons, science at times has difficulty in determining exactly to which of these two types a particular variety should be assigned. For instance, one of the most dangerous varieties of such weapons—toxins—can be produced only with the help of living organisms—bacteria—and can therefore be assigned to bacteriological weapons. Their production is the production at the same time of both bacteriological and chemical weapons.

55. Traditionally science has always treated chemical and bacteriological weapons as a single problem. That is precisely how it is considered in the well-known report of the United Nations Secretary-General prepared by outstanding scientists from fourteen countries, and in the World Health Organization's report to which I have already referred.¹⁵

56. On the military level these types of weapons are also close together. The characteristic feature of chemical and bacteriological agents, namely that they act exclusively on living tissue, is an argument in favour of dealing with them together as weapons of the same type. The ways of using chemical and bacteriological agents and the methods of their delivery are largely similar. Both types of these weapons can be used both on the tactical and on the strategic level.

57. Politically, chemical and bacteriological weapons are also treated as one problem. The decisions that have been adopted on this problem cover both types of weapons simultaneously. The Geneva Protocol of 1925 deals with both these methods of warfare, and it would be unjustified to show a different approach to the problem of the complete prohibition of chemical and bacteriological weapons.

¹³ *Documents on Disarmament*, 1969, pp. 716-719.

¹⁴ CCD/PV. 452, p. 18.

¹⁵ *Documents on Disarmament*, 1969, pp. 264-298.

58. Prohibition of the development, manufacture and stockpiling of only one type of those weapons—for instance, bacteriological weapons—would have a negative effect also in the sense that it might be construed as meaning that the other type, chemical weapons, was less dangerous and that its development, production and stockpiling would, as it were, be permissible. Moreover, such a solution to the problem—the prohibition of bacteriological weapons only—might even to some extent stimulate the development of chemical weapons in those countries which are the advocates of their use and which would thus obtain a basis in international law for intensifying the production of those weapons. At the last session of the General Assembly attention was drawn to this fact, in particular, by the representative of Pakistan, who said:

Further, by separating biological weapons from chemical weapons one may be led to the unwarranted interpretation that the use of the chemical weapons is perhaps not so condemnable as that of biological weapons.¹⁶

The Soviet delegation believes that those are precisely the consequences to which the proposal made by the United Kingdom in its draft convention to ban only bacteriological methods of warfare,¹⁷ and supported in this Committee by the delegations of the United States of America, Italy and Canada, might lead.

59. In the course of the General Assembly's debate on the question of concluding a convention on the complete prohibition of chemical and bacteriological methods of warfare, a number of States showed considerable interest in the question of ensuring the fulfilment by the parties to it of the obligations laid down in such a convention—the question of control. Many representatives drew attention in this connexion to the special nature of chemical and bacteriological weapons, the production of which is closely and specifically linked to the production of chemical and bacteriological substances for peaceful purposes. For this reason verification in the form, for instance, of control posts, the dispatch of on-site inspection groups and so on would be simply impossible from the practical point of view since, as several representatives at the General Assembly pointed out, it would be necessary to have controllers in almost every laboratory.

60. The discussion on the problem of chemical and bacteriological weapons at the last session of the General Assembly provided an opportunity of ascertaining the views of many States concerning the approach to be adopted in drawing up a convention prohibiting the production and stockpiling of chemical and bacteriological weapons, and concerning the provisions that should form the basis of its content. In our view, the draft convention on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and on the destruction of such weapons put forward by the delegations of nine socialist countries, namely Bulgaria, the

¹⁶ A/C.1/PV.1707, p. 11.

¹⁷ *Documents on Disarmament*, 1969, pp. 431 ff.

Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Mongolia, Poland, Romania, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics, at the twenty-fourth session of the General Assembly¹⁸, most broadly reflects the views of States regarding the content of an agreement on the complete elimination of chemical and bacteriological methods of warfare.

61. Permit me to make a few comments on the most important provisions of that document. The key articles of the draft convention are the first three. Articles 1 and 2 stipulate respectively that States parties to the convention undertake not to develop, produce, stockpile or otherwise acquire chemical and bacteriological (biological) weapons, and to destroy or to divert to peaceful uses all previously accumulated chemical and bacteriological (biological) weapons in their possession. Provision is made for the diversion to peaceful uses of those types of chemical and bacteriological substances which could be used both for military and for peaceful purposes. Thus the implementation of those articles of the convention would in itself already signify a radical solution of the problem of chemical and bacteriological weapons and the complete exclusion of those weapons from the life of the human community.

62. Articles 1 and 2 are also strengthened by the provisions of article 3, under which the parties to the convention undertake not to assist, encourage or induce any particular State, group of States or international organizations to develop, produce or otherwise acquire and stockpile chemical and bacteriological (biological) weapons.

63. Articles 4, 5 and 6 of the draft convention are also of great importance and I should like to say something about them separately.

64. Article 4 stipulates that each State party to the convention shall be internationally responsible for compliance with its provisions by the citizens and undertakings of its country. Under article 5 the States parties to the convention undertake to take as soon as possible the necessary legislative and administrative measures in their countries to prohibit the development, production and stockpiling of chemical and bacteriological (biological) weapons and to provide for their destruction. The application of this article of the convention will be one of the ways of guaranteeing the implementation of this agreement and of achieving the aim of the complete prohibition and elimination of chemical and bacteriological agents of warfare.

65. We have already drawn attention to the view expressed by many representatives at the General Assembly that the establishment of any system of verification or control to ascertain whether or not chemical and bacteriological weapons are being produced in any particular country is an extremely complicated matter and

¹⁸ *Ibid.*, pp. 455-457.

unfeasible in practice, bearing in mind the specific features of chemical and bacteriological substances, the production process of which for peaceful purposes does not differ essentially from the process of their production for military requirements. The government of each State party to the convention will guarantee, bearing in mind its international responsibility in this regard, that no industrial enterprise and no citizen of that country is engaged in the development and production of chemical and bacteriological weapons and, it goes without saying, that no stockpiles of such weapons are being created in the military arsenals of that country.

66. Also directly related to articles 4 and 5 is article 6 of the convention, which states that the States parties to the convention undertake to consult one another and to co-operate in solving any problems which may arise in the application of the provisions of the convention. Article 6 leaves the States parties to the convention free to determine the principles and the scope of such consultations and co-operation, depending on the requirements that may arise in the course of implementing the convention. The consultations provided for in article 6 will enable the States, in a spirit of harmony, to settle any doubts that may arise in regard to the implementation of the terms of the convention. This is one of the provisions designed to make the convention an effective international agreement.

67. The combination of three articles of the convention—articles 4, 5 and 6—is intended to ensure the observance of the convention by the parties thereto. These articles, we believe, meet the view expressed by a number of delegations at the General Assembly that it is necessary to ensure strict compliance by the States parties with the terms of a convention on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and on the destruction of such weapons.

68. We listened with great interest to the statement made by the representative of Poland, Mr. Natorf, on 24 February in which he informed the Conference that a group of Polish experts had prepared a proposal dealing with the problem of safeguards, and that after consultation with the other sponsors of the draft treaty the Polish delegation would introduce this document when the Committee tackles the substance of the problem.¹⁹ In this connexion the Soviet side declares that it is prepared to co-operate with the Polish and other delegations in the search for the most acceptable and effective solution of the problems relating to the complete prohibition and elimination of chemical and bacteriological weapons.

69. On the whole the draft convention proposed by the socialist countries is, in the opinion of the Soviet delegation, a

¹⁹ CCD/PV. 452, p. 9.

document which can serve as a basis for work to ensure a positive solution to the problem of reaching agreement on an international convention banning the development, production and stockpiling of chemical and bacteriological (biological) weapons and providing for their destruction. It is precisely in this way that the Committee would be able in a fairly short time to prepare the text of an international convention which would finally solve the problem of chemical and bacteriological weapons and completely exclude them from the life of the community.

70. The delegation of the Soviet Union, like the delegations of the other socialist countries co-sponsors of this draft convention, trusts that it will be the subject of an all-round and businesslike discussion and that the members of the Committee will display a sincere desire to reach a speedy agreement on this question. Only such an approach will enable us to ensure success in our work.

Statement by President Nixon on the Entry Into Force of the Treaty on the Nonproliferation of Nuclear Weapons, March 5, 1970¹

Mr. Secretary. Your Excellencies, the members of the Diplomatic Corps, members of the Senate and the House, and our distinguished guests:

With the completion of this ceremony this Treaty is now in force and has become the law of the land.

Mr. Secretary, I would like to be permitted something beyond that formal statement which puts the Treaty in force.

I feel that on an occasion like this, an historic occasion, it is well to pay tribute to some of those, both in our Government and in other Governments, who have been responsible for the success in negotiating this Treaty.

First, in our own Government, I should point out that the Treaty spans three Administrations—the Kennedy Administration, the Johnson Administration, and its completion in this Administration.

It was primarily negotiated during the Johnson Administration. And we very much regret that he was unable to attend this ceremony due to an illness, which I understand will certainly be temporary. We trust that, if he is looking on television, he has seen this ceremony and the culmination of what, I know, was one of his major objectives during his Administration, the ratification of the Treaty on the Non-Proliferation of Nuclear Weapons.

Having spoken of President Johnson and his Administration, I think it is also appropriate to speak of the negotiating team.

¹ S/9701, Mar. 12, 1970. The treaty appears in *Documents on Disarmament, 1968*, pp. 461-465.

Seated at this table is William C. Foster. In speaking of him, I speak of all the men who worked with him.

I can speak with some experience in that respect. I remember on two occasions when I was in Geneva—when I was out of office with no influence in the Administration in Washington and very little influence in my own Party—Mr. Foster felt so strongly about this Treaty that he took much of his time to explain it and also to present the facts in an effective way as to why the Treaty was in the best interest of the United States, as well as the other nations involved. In other words, what was involved here was not only negotiation on his part and on that of the other members of his team, but a very effective and necessary programme of education.

And for that long and at times very frustrating, and at times almost, it seemed, impossible task, we can congratulate him and all the members of the Diplomatic Corps who worked as he did for that Treaty.

And on this occasion, too, I wish to pay respect to the members of the House and the Senate that are here.

This Treaty indicates the continuity of American foreign policy in its search for a just peace, and it also indicates its bipartisan character, because without bipartisan support in the Senate, where the Treaty received the consent of the Senate, and bipartisan support in the House as well, this Treaty could not go into effect as it has today.

And, finally, I wish to pay tribute and express appreciation to all the representatives of the other Governments that are present here today.

The fact that so many Governments have brought this Treaty into effect is an indication of the immense desire that exists among all people in the world to reduce the danger of war and to find a way peacefully to settle our differences.

This is indeed an historic occasion. As I sit here today, I only hope that those of us who were fortunate enough to be present will look back one day and see that this was the first milestone on a road which led to reducing the danger of nuclear war and on a road which led to lasting peace among nations.

This milestone, as has already been indicated, results in non-proliferation of nuclear weapons to the extent that the nations participating in this ceremony and which have ratified the Treaty have indicated.

The next milestone, we trust, will be the limitation of nuclear weapons, the historic strategic arms limitation talks which will enter their second phase on 15 April in Vienna. And we note the fact that when Prime Minister Kosygin signed the Treaty in Moscow today, reference was made to those talks.

We trust that on 15 April the climate for progress in those talks will be good and that we can at some time in the future look forward to a ceremony in which we note the ratification of that historic Treaty.

And then finally, of course, we trust that the third milestone will be continued progress in reducing the political tensions, the differences between Governments which make it necessary for us to consider that we must maintain armed forces to the degree that we maintain them.

This is the work of all of us, the work of the diplomats, the work of the men of peace, and all of us I think can be so described today.

And so, Mr. Secretary, on this historic occasion, let us trust that we will look back and say that this was one of the first and major steps in that process in which the nations of the world moved from a period of confrontation to a period of negotiation and a period of lasting peace.

Statement by Premier Kosygin on the Entry Into Force of the Treaty on the Nonproliferation of Nuclear Weapons, March 5, 1970¹

We are participants in an event of great international significance. Today the Treaty on the Non-Proliferation of Nuclear Weapons enters into force. Allow me to express, at the behest of the Soviet Government, our deep satisfaction at this event.

From the moment when nuclear weapons were first produced the policy of the Soviet Union has unswervingly been directed towards saving mankind from the threat of nuclear war. The Treaty on the Non-Proliferation of Nuclear Weapons is an important step towards the attainment of that goal, for it creates a definite barrier to the further proliferation of the dangerous means of mass destruction constituted by such weapons.

In accordance with the basic provisions of the Treaty, the nuclear-weapon States Party to the Treaty undertake not to transfer such weapons to any recipient whatsoever directly or indirectly and not to assist in their manufacture or acquisition. Non-nuclear weapon States, for their part, undertake not to manufacture or acquire such weapons.

This Treaty has won wide international acceptance. It has been signed by almost 100 States. Now, with the entry into force of the Treaty, the obligation to refrain from spreading nuclear weapons becomes one of the most important norms of international law, a norm which even those States that are not parties to the Treaty will be unable to ignore. They too will bear responsibility for determining whether a limit to the proliferation of nuclear weapons is to be established.

The Soviet Union as a Party to the Treaty seeks no unilateral advantages for itself. We are guided above all by the desire to guarantee the security of the peoples and enable them to lead a

¹ S/9684, Mar. 9, 1970. The treaty appears in *Documents on Disarmament*, 1968, pp. 461-465.

peaceful life, and, in addition, to save succeeding generations from the scourge of war. It is precisely in the interests of achieving that lofty purpose that the Treaty should prevent the spread of death-dealing nuclear weapons over the earth. At the same time, the benefits of peaceful applications of nuclear technology should be available for peaceful purposes to all States Parties to the Treaty.

The entry into force of the Non-Proliferation Treaty confronts the Parties to it with serious tasks. First of all, there is the question of control. Control must be reliable and must be effected within the periods established by the Treaty.

The Treaty on the Non-Proliferation of Nuclear Weapons does not, of course, eliminate nuclear weapons themselves. Accordingly, it is now of the greatest importance that the nuclear Powers, and all other countries, should do everything in their power to bring about the cessation of the nuclear arms race and achieve progress in the matter of general and complete disarmament. This is an urgent necessity in the interests of improving the international situation.

The Soviet Union and other socialist countries deem it essential to advance still further along that path and they call upon all States to show goodwill and readiness actually to set about the task of achieving genuine disarmament. For our part, we are making persistent efforts, in the Geneva Disarmament Committee and elsewhere, to reach agreement on the cessation of the arms race, particularly with respect to missiles and nuclear weapons, and to bring about the drafting of a treaty on general and complete disarmament. The representative of the Soviet Union in the Geneva Committee has instructions from the Soviet Government to work for the conclusion in the very near future of a convention on the prohibition of the development, production and stockpiling of chemical and bacteriological weapons and on the destruction of such weapons and of a treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor.

The Soviet Government attaches great importance to the dialogue with the United States which began at the end of last year on limiting the strategic arms race. We are now making very serious preparations for the negotiations on this matter which are to begin at Vienna in April of this year. The outcome of the negotiations will depend, of course, on the goodwill of both sides.

In conclusion, let me express confidence that the deposit today by the Soviet Union, the United States and other States of instruments of ratification enabling the Treaty on the Non-Proliferation of Nuclear Weapons to enter into force will be conducive to the Treaty's acquiring a general, truly universal character. This is an important and a necessary Treaty which meets the interests of all States and all peoples.

Statement by Prime Minister Wilson on the Entry Into Force of the Treaty on the Nonproliferation of Nuclear Weapons, March 5, 1970¹

Some eighteen months ago, when the Treaty on the Non-Proliferation of Nuclear Weapons was opened for signature in Moscow, in Washington and London, I described this Treaty as the most important measure of arms control and disarmament on which agreement had yet been reached. At that historic moment we set the seal of success on nearly seven years of negotiations. Our signatures were a token of our confidence that the community of nations would agree that this was the road of wisdom.

There have been some who doubted whether there would ever be enough support to bring the Treaty into force. Whenever any great endeavour is set afoot there are always doubters. In this case there may have been more than usual because the Treaty needed ratification by forty-three States, about a third of the international community.

Over the months we have watched as the number of signatures and ratifications of the Treaty steadily mounted; Britain ratified the Treaty in the autumn of 1968. Today we have witnessed the culmination of the process, the deposit of sufficient instruments of ratification to bring the Treaty into force. This ceremony, in which the distinguished representatives of our fellow depositary Governments, the Ambassadors of the Soviet Union and the United States, are taking part, therefore constitutes a momentous step. It is being matched today by similar ceremonies in Moscow and Washington which are being attended by Chairman Kosygin and President Nixon.

But in our pleasure in reaching this historic milestone, let us recognize that much still remains to be done. We know that there are two forms of proliferation, vertical as well as horizontal. The countries which do not possess nuclear weapons and which are now undertaking an obligation never to possess them, have the right to expect that the nuclear-weapon States will fulfil their part of the bargain. We are confident that the American and Russian negotiators will bear this obligation in mind when they get down again next month to the complex discussions on the limitation of strategic arms, which may well themselves in turn prove the most important arms control negotiations undertaken since the last World War.

Let us remember that, although the Treaty on the Non-Proliferation of Nuclear Weapons comes into force today, there are still a number of States which have not yet adhered to the Treaty. We hope that these ceremonies in the capitals of the three depositary Governments will encourage those States to overcome

¹ A/7961, Mar. 13, 1970. The treaty appears in *Documents on Disarmament*, 1968, pp. 461-465.

their present hesitations and to recognize that this Treaty offers to them individually and to mankind in general the best hope of avoiding nuclear war.

Finally, I should like to pay on behalf of all of us a tribute to the dedicated teamwork which has brought us to this point. I am thinking particularly of the distinguished members of the Eighteen-Nation Committee on Disarmament in Geneva who worked with dedication and courage for so many years to lay the foundation for this Treaty. And as I am speaking in London, may I specially mention our own Ministers for disarmament over this period, Lord Chalfont and Mr. Mulley. The work of this Committee shows us how goodwill and common sense and statesmanship can triumph, whatever the political differences that separate the nations. This is perhaps the most significant and encouraging aspect of all, and augurs well for international relations in the 1970s.

This is a historic occasion. It is not an end but a beginning. Now the challenge to humanity is what we can do to build on the achievement we are celebrating today.

Statement by the Swedish Representative (Myrdal) to the Conference of the Committee on Disarmament: Chemical and Biological Weapons, March 12, 1970¹

Today I intend to deal with the subject which many delegations which have spoken so far have characterized as the most urgent one on our agenda, the question of chemical and biological weapons. This Committee is under a mandate from the General Assembly of the United Nations to try to reach agreement on further prohibitions in this field. The mandate is comprehensive:

... to submit a report on progress on all aspects of the problem of the elimination of chemical and bacteriological (biological) weapons to the General Assembly at its twenty-fifth session.²

29. Before turning to what is the main theme of my intervention, namely the possibility of further prohibitions on production, stockpiling, etc., of these weapons, I feel compelled to deal for a moment with the already-existing prohibition of the use of chemical and biological agents in international armed conflicts. The reason is the public statement made by the British Government recently on their interpretation of the Geneva Protocol of 1925,³ a statement which was referred to at some length by the representative of the United Kingdom, Lord Chalfont, in his intervention on 19 February. At the end of this part of his

¹ CCD/PV. 457, pp. 14-23.

² *Documents on Disarmament*, 1969, pp. 717-719.

³ *Ibid.*, pp. 764-765.

statement Lord Chalfont said—

... that the Committee would be doing itself a disservice if it devoted time and attention to seeking to outlaw a substance like CS at the expense of concentrating on the whole range of lethal weapons of war in national arsenals.⁴

30. This will of course not happen, as the use in war of CS—which is a tear gas, whatever other names you attach to it—is already prohibited under the generally-recognized rules of international law as embodied in the Geneva Protocol. The relevant factor in connexion with the prohibition of the use in war of a substance like CS is certainly not its physical appearance as smoke but its physiological effects on man. The tear gases are intended to affect an adversary directly, whereas smoke—the use of which in warfare is not prohibited by international law—is a substance intended mainly for hiding, that is for protecting oneself.

31. It is somewhat disconcerting, moreover, to hear the distinction “lethal”—“non-lethal” being introduced again. The Geneva Protocol makes no such distinction; and solid reasons have been offered why all these means should be considered in one spectrum, reasons which we have heard reiterated today by the representative of India and which have been well known and valid since the 1920s. That the vast majority of parties to the Geneva Protocol interpret the existing legal situation as constituting a total ban on chemical and bacteriological warfare was made quite clear by the vote in the General Assembly on resolution 2603 A (XXIV) and the debate in the First Committee which preceded that vote.⁵ No party to the Geneva Protocol had then or earlier sought to change its scope. Existing reservations concern only its applicability to first use and to non-parties.

32. What has since happened is a change in the position of one party to the Protocol, the British Government, purporting to establish a unilateral reinterpretation of the scope of the existing prohibition. However, no formal reservation or proposal for an amendment to the Protocol has so far been made by the British or any other Government party to the Treaty; if it were, other parties would probably feel compelled to react formally. The United Kingdom statement is most regrettable. It is particularly so since it comes from a Government which in the past as well as in the present has shown such positive interest in getting ahead with further arms-regulation measures in the field of biological and chemical warfare.

33. I will now turn to the main subject of this intervention: the further prohibitions—on development, production; stockpiling, etc.—that we should seek in connexion with chemical and biological weapons. When applying our energy and ingenuity to this task it is, I submit, useless to argue in an abstract way for or against simultaneous treatment of both chemical and biological

⁴ *Ante*, p. 39.

⁵ *Documents on Disarmament*, 1969, pp 716-717.

means of warfare. This leads either to exercises like those of the theological hairsplitting in the Middle Ages, or to a strict division of supporters along traditional political lines.

34. The most sensible way to embark on our task to try to arrive at further prohibitory measures would seem to me to be, instead, first to analyse from a substantive point of view how far it is feasible to treat chemical and biological weapons together or to what extent it is necessary to give them separate treatment. From such an analysis we shall be able to conclude, without any difference of opinion, whether we need to frame the prohibitions in one or two or more treaties, or whether we might perhaps have one over-all convention with separate treatment of some types of chemical and biological warfare agents in separate articles. We should, after such an analysis, be able to utilize to the utmost the constructive efforts which have already been made, as evidenced by the two available draft conventions, the British one,⁶ and that put forward in the United Nations by nine socialist delegations.⁷

35. The former deals only with biological weapons, as we know. We must therefore examine if, and how, it could be applied to chemical weapons. It also seeks to include a prohibition against the use of bacteriological means of warfare, thus duplicating the Geneva Protocol—an unnecessary and perhaps, because it is confined to biological weapons, even a risky undertaking. On the other hand, the draft submitted by the socialist delegations which, without taking up again the question of use, seeks to deal with chemical and biological weapons simultaneously is rather general. A number of technical problems involved will make their appearance when we study it further.

36. When attempting to compare chemical and biological weapons as to common or particular characteristics we must perforce look for such possible differences as may be of relevance in connexion with a future treaty. From a purely material point of view many agents that can be used for warfare purposes have, of course, specific qualities. We should concentrate, however, on those differences which are relevant in our efforts at seeking further comprehensive prohibitions, or which may give rise to different claims on the needs for verification. The underlying overall reason for this search for relevant distinctions is that any treaty language has to be made quite concrete and spell out clearly the obligations called for.

37. Although an agreement about further prohibitions may only have to refer, as the United Nations resolution does, to certain activities, such as acquisition, stockpiling and destruction of chemical and biological weapons, I intend to make a rapid survey of the longer series of activities, starting with research and

⁶ *Ibid.* pp. 431 ff.

⁷ *Ibid.*, pp. 455-457.

including, for instance, transfers and testing, in order to try to pinpoint where similarities or dissimilarities of substances call for special considerations. This matter is a little complicated and I have asked for my statement to be circulated quite early so that the members of the Committee may follow it more easily.

38. In regard to research, there is one marked common feature which will persist for the future, namely that many of the agents which can be used as a base for chemical and biological weapons are among those which are and will continue to be the object of basic research for various peaceful purposes. Thus, in the case of biological agents, research will be needed for gaining ever more knowledge of the origin of the diseases they cause and the contagion risks, as well as for the development of protective devices, particularly vaccines. In regard to chemical agents there is the same kind of demand for knowledge for producing protective measures, but also—in regard to certain categories—for the development of positively useful drugs, insecticides, herbicides, etc.

39. However, we must seek to establish the points at which such perfectly legitimate research may deviate into development with the aim of constructing means of warfare. The scope of a research project would then have to be redefined and the laboratory facilities specialized if the aim were to construct weapons. If so intended, the laboratories would need special equipment such as chambers for studying aerosols and safety devices for handling extremely toxic substances or highly infectious micro-organisms. From a technical point of view the difference between peaceful purposes and those connected with weapons manufacture should be quite clear. The scientific agencies responsible for research must obviously well know where the line goes, that is where research for peaceful purposes passes into research aiming at constructing warfare agents. It is also most interesting to observe the mounting concern among scientists and technical workers with the ethical problem they face in connexion with this latter type of chemical and biological research.

40. From a verification point of view it is necessary to state that, unless told that some laboratories were used for military purposes, one would be unlikely to be able to tell them apart from well-equipped laboratories for studying, for instance, air pollution, drugs or vaccines. While the research facilities themselves thus offer few and uncertain possibilities of monitoring from the outside the purposes they serve, whether peaceful uses or not, some pertinent information can now be culled from open scientific publications. To facilitate verification or to express it positively, to allay suspicions as to possible chemical and biological warfare research, great emphasis must be laid on open information. Where research is listed as "classified", particularly by a government agency or under a government contract, suspicion is easily aroused, of course. I think it can thus be said of

research that work on chemical and biological agents shows the same general features. Research with regard to both these types of agents will most probably have to be exempted from prohibition as well as from obligatory verification.

41. But in regard to development work on weapons ready for application in war, the situation is somewhat different. Although much less is known, it is evident from the Secretary-General's report of last year on chemical and bacteriological (biological) means of warfare⁸ that comprehensive work has been performed in several countries to develop warfare agents and also devices for the dissemination of those agents. This work includes preparing instructions and manuals as well as performing regular training in handling chemical and biological weapons for warfare purposes. Such development work, as well as training, could be prohibited unconditionally. Again, although the forms of devices will vary in many ways, the prohibition of such development work may well be dealt with in one comprehensive treaty. Only with regard to the verification aspect may such differences exist as would call for separate treatment. That question is closely related to the aspect of production of chemical and biological agents, to which I will return shortly.

42. Testing is another activity which has to be considered. Because of the secrecy and the dangerous nature of such trials, particularly when undertaken in respect of possible use in aerosol attacks, testing will have to take place in remote areas and at comparatively large testing sites containing a number of technical facilities and safety arrangements. It would seem to be possible to prohibit simultaneously the testing of chemical and biological warfare agents. For the purpose of verification some useful leads might be derived from surveillance of the site of and the security arrangements for testing areas; while in order to provide more conclusive evidence different techniques for various chemical and biological means of warfare might have to be foreseen.

43. Production of chemical and biological means of warfare is of course the main activity at which international prohibitions have to be directed. Here the problems become more complex. Chemical and biological agents cannot always be treated similarly. The relevant question is connected with the purpose of their production. In that respect a crucial difference makes itself felt in regard to certain agents production of which is possible for peaceful purposes as well as for warfare.

44. Biological agents obviously lend themselves practically wholesale to unconditional prohibition. Some exceptions will have to be made, however, as I have already mentioned under research, for quantities needed for further laboratory work and for developing protective substances, particularly vaccines.

⁸ *Ibid.*, pp. 264-298.

45. Unconditional prohibition is also possible for a long series of chemical agents. Production of such chemical agents as nerve gases and toxins might be unconditionally prohibited and could therefore be coupled with biological agents in an international agreement. The road divides at a certain point, however. That is related to the fact that some specific chemical agents have a legitimate use in peaceful activities which would have to be recognized in any future convention. With that problem in mind we have to discuss the need for a separation into two categories of prohibition—what I have called unconditional and conditional prohibitions.

46. To illustrate this situation it might be useful to discuss the herbicides. Different kinds of these substances are used extensively all over the world to increase the yield of crops. They are also used in big quantities in forestry and gardening and for aquatic weed control. The method of their application is a highly-developed technique which concerns the right choice of agent, of plants to be eliminated and of the proper time for action. Without these very discerningly performed applications of herbicides—and also of pesticides—the food situation in the world today would be even worse than it is. Another important civilian application is to free certain areas such as roadsides, tracts under power lines, railway lines and airports from unwanted vegetation. That sort of more indiscriminate use also has some military applications, such as freeing fortifications and military airfields of vegetation.

47. In order to establish boundary lines in an international treaty between such production of certain chemical agents as I have just mentioned and production for direct warfare purposes, one would probably have to resort to what I have called “conditional prohibition”, or prohibition with partial restraints. Technically the problem might be dealt with either in one comprehensive treaty with specified exemptions or in a separate treaty or protocol, where the restraining conditions could then be spelt out in more detail.

48. Undoubtedly we have to foresee that it might be more difficult to get international agreement on which chemical agents to exempt than on the prohibition of biological agents in general and on the considerably larger series of lethal and otherwise potentially toxic chemical agents. Luckily, we could at least to a certain extent probably be aided in our search for such a selective prohibition by the fact that in recent years some of the substances used, for instance, as herbicides and pesticides have actually been found to have such considerable negative side-effects, involving short- or long-term risks to the health of man, animal or useful vegetation, that they have been put under stringent regulations. Although such prohibitory regulations belong within the competence of national legislation and differ considerably from country to country, I believe we should be able internationally to strive gradually towards agreement that such agents as are generally

excluded from civilian use could be automatically included in a treaty of unconditional international prohibition.

49. Distinguishing between unconditional and conditional prohibition means that for the chemical agents the coverage in a ban on production would have to be somewhat less extensive than in a ban on use. But, of course, "conditional prohibition" nevertheless has a connotation of prohibition. As to the verification aspect, I suggest as a point for further discussion that, while for all agents under "unconditional prohibition" the most effective means of verification which are generally acceptable should be sought, for those other cases of chemical agents it may suffice instead to prescribe a procedure of obligatory reporting to some international agency on their production, stockpiling and civilian use.

50. Finally, the production of the other parts of a weapons system, that is the means of dissemination of the agents, such as shells, bombs and sprayers, creates additional problems. Production of some components, and particularly vehicles used for the dissemination of chemical weapons, might be identical with, or anyway sufficiently similar to and hence integrated with, the production in general of conventional weapons. For biological weapons there will, however, probably be special arrangements, easier to identify. But by and large it is not so much the production of the elements of dissemination devices which becomes the crucial point; rather it is the weaponizing proper: that is, the process of combining the agents with their delivery vehicles.

51. That problem is in turn connected with that of storing. The larger bulk of the chemical agents would seem to require larger storing facilities. Chemical agents can, further, be loaded in advance into the different types of ammunition. Such storing may, however, be spread out geographically. Biological agents, which are comparatively sensitive micro-organisms, may not withstand storing under the same conditions as the chemical agents. Probably their production and their dissemination would have to be close in time to ensure full effectiveness. For storing during longer periods, freezing techniques may have to be used. Such storing would not be very conspicuous, as the amounts would be much smaller than in the case of for instance, chemical agents. The observability of storing is thus quite different for chemical and biological agents. This last conclusion also seems valid for the problems of transportation of the agents.

52. A special problem which will become highly pertinent in relation to an international treaty is that of trade, that is transfers between countries. A rule of thumb would seem to be to follow similar conclusions to the ones which we have discussed in relation to research and production: that is, unconditional prohibitions would be valid for all biological agents of warfare and for an increasing number of chemical agents. In regard to verification, certain rules as to reporting to some international agency or

agencies would seem to be warranted. This must relate to all agents which might be used as means of warfare.

53. The question of elimination of existing stocks through destruction or decontamination should also be dealt with. The technical problems raised are considerably different here as between chemical and biological weapons. Elimination of existing large stocks of chemical agents may require operations on an industrial scale. Not only the agents themselves but also the residual products require special handling. The method of sinking them into the sea or in the depths of the earth is becoming of grave concern from a safety point of view.

54. Biological agents are as a rule easier to dispose of. This is primarily so because there is no need to annihilate the substances; it suffices to destroy their biological structure. Heating and different kinds of chemical interaction may be sufficient.

55. The conclusion seems to follow that, while destruction or decontamination of chemical and biological weapons may be prescribed under a general prohibitory rule, the technically-separate types of treatment required seem to call for different modalities if the destruction is to be verified.

56. In the preliminary analysis I have just made I wanted to demonstrate that several problems are common to the two types of weapons but also that some differ. Although those that differ are mainly technical problems, they may influence the content of any attempted treaty, particularly the solution of the verification problems. In this context I should mention that I have not set out to deal directly with the issue of verification today; but it does make itself felt whatever aspect one wishes to treat *in concreto*. The subject of verification is discussed in great depth in Part IV of the SIPRI study on chemical and biological warfare which has recently been sent to delegations by that Institute.⁹

57. My statement today should be interpreted as part of the mapping expedition that I suggested in my earlier intervention on 18 February¹⁰ as a working method for the Committee at this stage of our deliberations on the matter of chemical and biological weapons. It should be understood that the tentative conclusions that I have been drawing as I have proceeded with the analysis of how to deal with chemical and biological agents respectively do not represent any firm position of my delegation in regard to the questions whether our Committee would work out one comprehensive treaty, such as exists in regard to the prohibition of the use of chemical and biological warfare, or two or perhaps even several separate treaties on the wide complex of prohibiting also development, production, stockpiling, etc. in this field. It seems possible to deal with them together to a considerable extent, while

⁹Stockholm International Peace Research Institute, *The Problems of Chemical and Biological Warfare* (prov. ed., Stockholm, 1970).

¹⁰CCD/PV. 450, pp. 17-18.

in relation to the production of certain chemical agents treaty language would have to be considerably more specific.

58. One of our conclusions is firm, however—the main one—: that it is necessary for the Committee to take up the whole complex for simultaneous consideration leading to simultaneous solutions. It is the duty of our Committee to arrive at international agreements of the widest possible coverage in order to satisfy mankind's quest for safety in regard to these fearsome weapons of indiscriminate mass destruction.

United States Working Paper Submitted to the Conference of the Committee on Disarmament: Chemical Warfare Agents and the Commercial Chemical Industry, March 16, 1970¹

1. Chemical agents, the effects of their use in warfare, and the possibility of subjecting such agents to arms control have been studied extensively in recent years. The reports of the United Nations Secretary-General, World Health Organization, and SIPRI have received worldwide attention. In addition, studies of this problem have been conducted by individual nations. The United States Government completed a thorough review of this subject in the Fall of 1969.

2. In considering the possibility of negotiating a new arms control agreement for chemical weapons, one of the areas which must be studied and understood is the relationship between the production of chemical agents for war and the production of chemicals for peaceful purposes by the commercial chemical industry. The chemical industry was in its infancy during World War I, when chemical warfare was first employed. Even so, in that conflict more than 100,000 tons of chemicals were produced for use as weapons, and 1,300,000 deaths and casualties were reported from the use of poison gas. Since World War I, many additional countries have developed a chemical industry, and the chemical production facilities of the more advanced countries have increased tremendously. In the 50 years since the end of World War I, for example, gross production of the world wide chemical industry has increased in value from an estimated \$5 billion to \$150 billion, approximately a 30-fold increase. Between 1959 and 1969, world output of chemicals increased from an estimated \$60 billion to \$150 billion, and the magnitude of increase is continuing to accelerate.

3. Many of the chemicals which caused death and casualties in World War I are today produced in large quantities for industrial use. These chemicals might have military utility for states which may be unable, or might not desire, to manufacture or import

¹ CCD/283, Mar. 16, 1970.

modern nerve agents. For example, among the choking agents, which resulted in more than 80 per cent of the deaths by gas in World War I, phosgene is currently produced in a number of countries. Annual production figures are unknown, but in at least some of these countries, annual production is thought to exceed 100,000 tons. Phosgene is a widely used raw material in the manufacture of synthetic plastics, insecticides, paints, and pharmaceuticals. Being easily liquified, industrial phosgene could be diverted relatively easily for use in war should a nation decide to employ it, without necessarily requiring sophisticated delivery systems.

4. Among the blood gases developed during World War I, hydrogen cyanide (hydrocyanic acid) is a valuable intermediate in the manufacture of many organic chemical compounds, including benzyl cyanide, acrylonitrile, and dyes. Its world production volume is believed to be in excess of 1 million tons annually. Hydrogen cyanide is currently being produced by the United States, 6 Western European countries, Japan, the USSR, and Communist China. Another blood gas which also finds widespread commercial use is cyanogen chloride. It was used in limited quantities in World War I and is presently used as a fumigant and industrial intermediate.

5. Mustard gas, which was the most effective chemical weapon developed in World War I, is produced very simply from ethylene-oxide. On a worldwide basis, over one million tons of ethylene-oxide are produced annually for use, inter alia, in manufacturing detergents and disinfectants. The improper disposal of commercial mustard gas intermediates by industrial users has led on several occasions to casualties among fishermen and bathers, and has resulted in charges that mustard gas itself was the cause of injury.

6. The everyday production of commercial materials relevant to chemical warfare in the United States, as in other industrially developed countries, is quite substantial. For example, there are 19 locations for phosgene production and 11 facilities for hydrogen cyanide production in the United States. These produce in total approximately 350,000 tons of phosgene and 200,000 tons of hydrogen cyanide per year for commercial purposes. Of course, if one looks back into the commercial production of basic raw materials (for example, ethylene, sulphur, and chlorine, which are ingredients for mustard gas), the problem is much larger and the facilities more extensive.

7. Chemical agents of the World War I type, even though they may be effective against an unprepared enemy, are considered by those who have studied chemical weapons to be much less effective than the more recently discovered "nerve agents." The G and V families of organophosphorus nerve agents were discovered in 1936 and 1955, respectively, in the course of research on new commercial pesticides. These agents are similar to commercial

organophosphorus pesticides, widely used in agriculture, which have, in fact, caused human deaths in cases of misuse. Both the nerve gases and these related pesticides inhibit the enzyme acetylcholinesterase, causing death from respiratory and circulatory failure.

8. In addition to the similarities between the end products, many intermediates such as phosphorus trichloride, phosphorus oxychloride, ethyl and isopropyl alcohol, and ammonia are common to the production of pesticides and nerve agents. All are common industrial chemicals. In the mid-1960's, annual production of organophosphorus pesticides in the United States alone was approximately 30,000 tons. Present United States output is approximately 65,000 tons of organophosphorus pesticides per year, produced in the facilities of 14 basic manufacturers. Elsewhere in the world, there are at least 50 plants involved in the production or formulation, or both, of commercial organophosphorus pesticides in a total of 12 countries, including countries of Western and Eastern Europe. The total world output of the entire organophosphorus pesticide industry is estimated to be in excess of 130,000 tons annually.

9. The basic technical information for production of nerve agents, including descriptions of the chemical processes and amounts of raw materials required, is in the public domain. Such production does not present any insurmountable technical difficulties, although the problem of maintaining safety for plant personnel is, in view of the deadly character of the agents, quite complex.

10. From the foregoing discussion, it can be seen that the capacity for producing chemical warfare agents grows out of, and is linked to the commercial chemical industry of a given country. The raw materials for various chemical warfare agents, and even some agents themselves, are produced in vast amounts in a great many locations throughout the world.

**Statement by the Netherlands Representative (Eschauzier) to the
Conference of the Committee on Disarmament: Chemical and
Biological Warfare, March 17, 1970¹**

In this statement I should like to dwell at some length on a topic to which this Conference, in accordance with the request of the General Assembly in its resolution 2603 B (XXIV),² should give urgent consideration with a view to reaching further agreement on the question of chemical and biological warfare.

18. The Netherlands delegation welcomes the fact that the question of chemical and bacteriological weapons is likely to

¹ CCD/PV. 458, pp. 9-17.

² *Documents on Disarmament*, 1969, pp. 717-719.

receive high priority at this Conference during the present session. We are also satisfied that the General Assembly recognized the predominant importance of the Geneva Protocol of 1925.³ All States which have not yet done so have been invited to accede to or ratify this Protocol in the course of this year in commemoration of the forty-fifth anniversary of its signing and the twenty-fifth anniversary of the United Nations.

19. In this connexion I should like to remind this Conference of the statement of Mr. Asakai at our meeting on 14 August 1969 that the Japanese Government is prepared to consider the ratification of the Geneva Protocol in case we find ourselves in the unfortunate situation that an agreement on the complete prohibition of both chemical and biological weapons cannot be concluded in the near future.⁴

20. I am sure we all noted with great satisfaction the statement of President Nixon on 25 November 1969 that the United States Administration will submit to the Senate, for its advice and consent to ratification, the Geneva Protocol of 1925.⁵

21. I should also like to refer to the other important decisions of the United States Government on chemical and biological weapons, namely renunciation of the first use of incapacitating chemicals; renunciation of the use of lethal biological agents and weapons and all other methods of biological warfare; restriction of United States biological research to defensive measures such as immunization and safety measures; disposal of existing stocks of bacteriological weapons; renunciation of preparations for the offensive use and of such use of toxins as a method of warfare; restriction of the United States military programme for toxins, whether produced by bacteriological or any other biological method or by chemical synthesis, to research for defensive purposes only.

22. This list comprises some important unilateral initiatives towards disarmament. The Netherlands delegation would particularly stress the decision to renounce the use—not only first use but also retaliatory use—of biological agents and weapons. In this respect the United States Government, which is not a party to the Geneva Protocol, has gone further than many of the original parties to the Protocol. As this Conference is aware, in acceding to the Protocol a substantial number of States made the reservation that the Protocol ceases to be binding on the acceding State in regard to all enemy States the armed forces or allies of which fail to respect the Protocol. That reservation was also made by the Netherlands Government when ratifying the Protocol in 1930; but the reservation was limited to the use in war of asphyxiating, poisonous or other gases. In doing this the Netherlands was among

³ *Ibid.*, pp. 764-765.

⁴ *Ibid.*, p. 412.

⁵ *Ibid.*, pp. 592-593.

the first countries to renounce unconditionally the use of bacteriological or biological weapons. I therefore believe that the Netherlands has a certain right to issue an appeal to follow the example set by the United States Government. In this connexion we have noted with interest the proposals made by the delegation of Yugoslavia at our meeting on 10 March.⁶

23. At this stage I should like to remind the Conference of the Italian initiative at the last session of the General Assembly according to which all parties to the Geneva Protocol were to be invited to consider the prohibition of "first use" contained therein as valid *erga omnes*.⁷ That initiative was not voted on, but we supported it⁸ and are still in favour of such a decision.

24. I agreed with Mr. Ortiz de Rozas when he stated at our meeting on 3 March that the Geneva Protocol has given proof of its great moral force, in spite of the limited number of Governments that have acceded to it.⁹ I felt inclined to add: and also in spite of the fact that the Geneva Protocol gave rise to different interpretations as to its scope and coverage.

25. We had and still have great difficulty in subscribing to resolution 2603 A (XXIV), which was adopted by eighty votes to three, with thirty-six abstentions, and which declares as contrary to the generally-recognized rules of international law, as embodied in the Geneva Protocol, the use in international armed conflict of any chemical and biological agents of warfare.¹⁰ We made that position clear in the First Committee on 10 December 1969. We admitted the existence of certain ambiguities in the Protocol. We also agreed that it is important to dispel, as soon as circumstances permit, any uncertainty which might continue to exist with regard to the scope of the Protocol. We therefore suggested that in due course the Protocol could best be supplemented by an additional agreement or agreements reflecting the realities of the present and anticipating future developments.¹¹

26. I can now add to our position taken at that time that the Netherlands Minister of Foreign Affairs, in a parliamentary debate on 12 February, declared his willingness to co-operate in seeking agreement to abolish for the future the use of herbicides and defoliants in warfare. That important decision was based on the consideration that large-scale use of such chemical agents might have long-term effects of an unpredictable nature on man's environment. This question is related to the ecological problems which are confronting mankind and on which an important conference will be held under the auspices of the United Nations in 1972.

⁶ CCD/PV. 456, pp. 16-17.

⁷ *Documents on Disarmament*, 1969, p. 634.

⁸ A/C. 1/PV. 1717, pp. 8-10.

⁹ CCD/PV. 454, p. 8.

¹⁰ *Documents on Disarmament*, 1969, pp. 716-717.

¹¹ A/C. 1/PV. 1717, pp. 4-10.

27. With regard to the use of tear gas in warfare, the Netherlands Government continues to have doubts. It is not so much the use of that weapon which has been criticized; it is rather the misuse. The cardinal question would appear to be whether or not it is deemed possible to restrain the use of certain specified harassing agents by the proper legal and customary rules of war instead of banning them completely from military arsenals. In any event, a ban on the production of such agents would have to make allowance for the production of adequate quantities for riot-control purposes. My Government intends to reconsider the whole question after it has received a report to be submitted in the near future by our National Advisory Committee on Questions of Disarmament and International Peace and Security. That Committee was established a few years ago by the Minister of Foreign Affairs as an independent body composed mainly of qualified individuals outside the Government.

28. We now have before us two draft conventions. The United Kingdom submitted a draft convention for the prohibition of biological methods of warfare to this Conference,¹² whereas nine socialist countries submitted to the General Assembly a draft convention on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and on the destruction of such weapons.¹³ The two drafts adopt a different approach. The former deals only with biological weapons, while the latter is a comprehensive one, including both chemical and biological weapons.

29. Much has already been said in this Conference on the advantages and disadvantages of the two proposals. We can approach the problem either from an intellectual or from a pragmatic point of view. Intellectually, there are certain arguments in favour of a comprehensive solution. Mr. Roshchin mentioned several of them in his statement before this Conference on 3 March.¹⁴ Counter-arguments can be formulated as well, the most powerful being that biological agents depend for their effects on their ability to multiply in the person, animal or plant attacked. We know that in the Secretary-General's report on chemical and biological weapons it is stated that what may be regarded today as a biological agent could tomorrow, as knowledge advances, be treated as chemical.¹⁵

30. This judgement has been couched in very prudent terms. I want to underline the words "could", "tomorrow" and "as knowledge advances". Moreover, the following paragraphs of the report lead to the conclusion that for the foreseeable future there are basic differences in the characteristics of chemical and biological agents. Practical reasons could be added to this.

¹² *Documents on Disarmament*, 1969, pp. 431 ff.

¹³ *Ibid.*, pp. 455-457.

¹⁴ *Ante*, pp. 73-75.

¹⁵ *Documents on Disarmament*, 1969, pp. 271-272.

Biological weapons have not yet been used so far in war. They are—as far as we know—not yet available on an operational basis. It is generally recognized that biological weapons are extremely dangerous and risky both to the attacked and to the attacker. It therefore seems evident that it is in the mutual interest of all States completely to ban those weapons. On this basis of mutual and interwoven interest it might conceivably be possible to reach a quick result.

31. From what I have just said it will be clear that the Netherlands Government has great sympathy for the United Kingdom draft convention and is willing to support its principal ideas. It is an example of practical wisdom in trying to achieve what seems to be nearest at hand. This does not exclude, however, the prospects for progress on chemical warfare and biological warfare being discussed together. Lord Chalfont stated to this Conference on 19 February, that the United Kingdom delegation is ready to fall in with the wish of the majority, and that it is understood that the majority wishes a discussion on both types of weapons simultaneously.¹⁶ We can readily go along with this procedure.

32. Now with regard to the United Kingdom draft convention my delegation would like to make a few further preliminary remarks. Article I of the draft does not follow the definition of biological agents given in the Secretary-General's report on chemical and biological weapons. After an initial study of various possible formulations, we would prefer this article to correspond closely with the definition in the Secretary-General's report. We would therefore tentatively suggest that article I might read as follows:

Each of the Parties to the Convention undertakes never in any circumstances to make use for hostile purposes of living organisms, whatever their nature, or infective material derived from them, which are intended to cause disease or death in man, animals or plants, and which depend for their effects on their ability to multiply in the person, animal or plant attacked.

33. a substitute for the traditional expression "use in war" (or warfare), article I of the United Kingdom draft convention offers the definition "for hostile purposes". For the sake of argument we have retained, as a possible alternative, that definition. It is less restrictive than the term "in international armed conflicts", which appears in resolution 2603 A (XXIV). It seems that there exists a certain parallel between the United Kingdom formula and the definition "armed conflicts in which armed forces are engaged in hostilities" in the Report on the Protection of Victims of Non-International Conflicts by the International Committee of the Red Cross (May, 1969).

34. Article II (a) (i) of the United Kingdom draft stipulates that each of the contracting parties undertakes not to produce or

¹⁶ *Ante*, p. 38.

otherwise acquire, or assist in or permit the production or acquisition of, microbial or other biological agents of types and in quantities that have no independent justification for prophylactic or other peaceful purposes. We would prefer to delete the word "independent", because in our view it could lead to confusion and would lose its meaning in a supposed situation of threat by biological weapons. We also feel that the term "peaceful" may give rise to different interpretations. It is normally used in the sense of "non-military", but it has also been held to mean "non-aggressive", "non-offensive" or "non-armed". In the present context peaceful use would permit "passive defence".

35. We venture to suggest that the risk of any ambiguity could be eliminated by the following wording of article II (a) (i):

Each of the Parties to the Convention undertakes not to produce or otherwise acquire, or assist in or permit the production or acquisition of, biological agents of types and in quantities that are not exclusively required for prophylactic or protective purposes.

36. When Mr. Mulley tabled and introduced the draft convention on 10 July 1969 he pointed out to this Conference that verification, as that term is understood in disarmament negotiations, is simply not possible in the field of biological warfare.¹⁷ He gave two reasons: the agents which might be used for hostile purposes are generally indistinguishable from those which are needed for peaceful medical purposes, and militarily significant quantities of a biological warfare agent could be produced in a relatively small facility. We share the view that it is hardly possible to conceive a control system which does not contain loopholes. However, we want to reserve our position as to the question whether any control possibility has to be excluded once and for all. One could for instance think of introducing a system of inspection of declared facilities.

37. In this light we see merit also in the proposal which was first made by Mr. Asakai in our meeting of 14 August 1969¹⁸ and reiterated by Mr. Abe during the present session on 10 March that the study of the technical problems related to the verification of the production and stockpiling of chemical and biological weapons be entrusted to a group of competent scientists and technologists. We also fully agree with the representative of Japan that, in order to obtain conclusive evidence, any complaint procedure followed by an investigation requires speedy action. Mr. Abe pointed out that the Secretary-General of the United Nations should be able to "act without delay on previously arranged preparations for implementing such investigations".¹⁹

38. Those considerations sound very familiar to my delegation. As long ago as 1962 the Netherlands Government launched an initiative in the General Assembly with a view to improving

¹⁷ *Documents on Disarmament*, 1969, pp. 321-322.

¹⁸ *Ibid.*, p. 412.

¹⁹ CCD/PV. 456, pp. 27-28.

methods of "international fact-finding" and devising international machinery to that effect.²⁰ Those efforts were pursued during subsequent years and resulted in the adoption by the General Assembly on 18 December 1967 of resolution 2329 (XXII), operative paragraph 4 of which reads as follows:

Requests the Secretary-General to prepare a register of experts in legal and other fields, whose services the States parties to a dispute may use by agreement for fact-finding in relation to the dispute, and requests Member States to nominate up to five of their nationals to be included in such a register.²¹

39. It is not difficult to transpose this general recommendation in terms of the specific requirements of the problem I am dealing with now. The suggestion of the representative of Japan, Mr. Abe, to establish a roster of experts with a view to conducting investigations is therefore warmly supported by my delegation. However, I should like to stress once more that in the opinion of my delegation the possibility of devising some sort of a system of inspection should not be ruled out *a priori* but, on the contrary, should be thoroughly examined.

40. I come now to the socialist draft convention as presented to the General Assembly on 19 September 1969.²² Our main objection is that this draft convention deals with both biological and chemical weapons without providing for an adequate safeguards system. We cannot argue that the industrial and technological capability of the majority of nations is still not advanced enough to produce the horrible weapons we are discussing. I would like to remind the Conference of that part of the report of the Secretary-General on chemical and bacteriological (biological) weapons and the effects of their possible use which reads:

Despite the fact that the development and acquisition of a sophisticated armoury of chemical and bacteriological (biological) weapons systems would prove very costly in resources, and would be dependent on a sound industrial base and a body of well-trained scientists, any developing country could in fact acquire, in one way or another, a limited capability in this type of warfare—either a rudimentary capability which it developed itself, or a more sophisticated one which it acquired from another country. Hence, the danger of the proliferation of this class of weapons applies as much to developing as it does to developed countries.²³

41. We listened with great attention and interest to our Polish colleague when he stated on 24 February that a group of Polish experts has prepared a proposal dealing with the problem of an adequate safeguards clause and that it will be introduced in this Conference after consultation with the other sponsors of the draft convention.²⁴ In view of that promise we will reserve our position on this point until later.

²⁰ A/C.6/SR.758, para. 40.

²¹ General Assembly Official Records: Twenty-second Session, Supplement No. 16 (A/6716), vol. I, p. 84.

²² Documents on Disarmament, 1969, pp. 455-457.

²³ Ibid., p. 292.

²⁴ CCD/PV. 452, p. 9.

42. Article 4 of the socialist draft stipulates that:

Each State Party to the Convention shall be internationally responsible for compliance with its provisions by legal and physical persons exercising their activities in its territory, and also by its legal and physical persons outside its territory.²⁵

We do not see clearly how a State can be held responsible for acts committed by unauthorized individuals outside its territorial limits. Responsibility is correlated to authority and influence, and a State's authority is confined to the territory within which it exercises sovereign rights. I would be grateful, therefore, to receive some clarification on this point.

43. We further believe that the language of article 1, containing the principal obligation, is not detailed enough. The socialist draft is limited to the prohibition of the development and production of chemical and biological weapons. Does this imply that all development and production of chemical and biological agents would be permitted as long as they were not included in operational weapons? This brings us to the very difficult problem of defining when an agent becomes a weapon. We therefore prefer formulas that make agents and not weapons the subject of prohibition, as exemplified in the United Kingdom draft convention to which I have just referred. That system constitutes a better guarantee that all options to retain a capability in this field will be given up.

44. I would like to assure those colleagues who have spoken before me on the same subject that my delegation listened to their remarks with great attention. My delegation is particularly grateful for the comprehensive statement—truly a “mapping expedition”—by the representative of Sweden, Mrs. Alva Myrdal.²⁶ We are also studying carefully the most valuable documentation on chemical and biological warfare prepared by SIPRI.

45. There is already a wealth of material before this Conference which can serve as a basis for a discussion in depth. My delegation expresses the hope that by the end of the present session this Conference will be able to report to the General Assembly substantial progress in fulfilling the mandate it was given in resolution 2603 B (XXIV).

Statement by the United States Representative (Leonard) to the Conference of the Committee on Disarmament: Chemical and Biological Weapons, March 17, 1970¹

The United States attaches great importance to the achievement of reliable international agreements to control the development, production and stockpiling of chemical and biological

²⁵ *Documents on Disarmament*, 1969, p. 456.

²⁶ *Ante*, pp. 83-91.

¹ CCD/PV. 458, pp. 17-23.

weapons. The emphasis that other members of this Committee have given to this subject in their opening statements is a welcome indication that the time has come to take concrete steps to eliminate these weapons. But in order to take such steps, we must make a choice regarding the approach most likely to achieve results. We have before us two draft conventions.² A number of constructive suggestions have also been made during our discussions. We can, of course, continue for an extended period to discuss these proposals in general terms. The United States delegation hopes, however, that the Committee will soon come to agree upon a course of action offering the prospect of early concrete achievement.

47. The value of this Committee is measured to a great extent by its ability to negotiate realistic and widely-acceptable agreements. The United States believes that such an agreement can be achieved in the near future through negotiation of a measure that prohibits the development, production, stockpiling or any acquisition of biological means of warfare. We also believe, for reasons that I shall give in some detail today, that it does not seem feasible at present to negotiate a single agreement prohibiting both chemical and biological weapons. I wish to emphasize, however, that the United States is committed to achieving effective controls on chemical weapons as well as on biological weapons. We think that progress can be made in the chemical field and are determined to contribute to that task. But we feel that to insist on a single agreement covering both chemical and biological weapons would be, in effect, to resign ourselves to no concrete advance for a considerable period of time.

48. I should like to comment first on the reasons why an agreement on biological weapons would be worth while. My Government recently completed an exhaustive review of its policy alternatives in this field, and I should like to share some of our conclusions with the Committee.

49. It is evident that knowledge of the life sciences—biology and related disciplines—has advanced dramatically in recent years. Progress in fields such as genetics and molecular biology will enable us to improve the health and well-being of people everywhere. Without effective political and legal restraints, however, these advances in knowledge could be put to perverse ends, resulting in ever more efficient and ever more horrible methods of using disease as a weapon of warfare.

50. Let us consider the destructive potential of biological warfare as it is already, at the present stage of technology. In the Secretary-General's Report on Chemical and Bacteriological (Biological) Weapons there is a table which compares the disabling effects on an unprotected population of hypothetical attacks using

² *Documents on Disarmament*, 1969, pp. 431-433, 455-457.

chemical, nuclear, and biological weapons.³ In each instance an estimate was made of the damage which would be caused by the weapon-load of a single strategic bomber. In the case of chemical weapons, the area affected was estimated to be "up to 60 km²". In the case of nuclear weapons, the area was estimated at "up to 300 km²". But in the case of biological weapons it was estimated at "up to 100,000 km²". In fact it has been estimated that, in terms of the amount needed to cause injury, infectious microbes can be a million times more poisonous than modern nerve agents.

51. Thus biological weapons present a clear danger to mankind, especially to an unprotected civilian population. The effect of their use, however, would be difficult to predict. The aerosolized form of a disease—the form in which a biological agent can best be "weaponized" and disseminated—obviously cannot be field-tested on human populations. Partly because so far we have been spared the use of these weapons in warfare, their effects can only be estimated from experience with natural epidemics and laboratory experiments. Thus there can be no assurance that this form of warfare, if ever begun, would not spread uncontrollably to one's own population and to still other countries, as well as to the enemy. People living in areas of malnutrition, crowding and poor health facilities would be especially vulnerable to a biological attack. Because of the unpredictable and potentially uncontrollable consequences of biological weapons, their use could even produce global epidemics and impair the health of future generations.

52. Are there reasons of national security which require States to develop and possess biological weapons? Most States have already pledged themselves not to initiate the use of these weapons. The development of a biological warfare capability therefore should depend upon whether these weapons have value as a deterrent against use by others and as a means of retaliation—of redressing the military balance—if deterrence should fail. An assessment of their deterrent and retaliatory value is also important in giving consideration to methods of ensuring compliance with a ban on their possession.

53. It is the considered judgement of the United States Government that retaliation in kind would not be the best military response to a biological attack. In fact, we judge that it would not be an acceptable or rational response to a biological attack. A country subjected to attack with biological weapons might not be aware for days or weeks that the attack had taken place. If it concluded that it was the victim of a deliberate attack rather than a natural epidemic it would have to determine the source of the attack.

54. In deciding on what action to take, the attacked country would then have to consider the unpredictable nature of biological

³ A/7575/Rev. 1, p. 44.

weapons and the incubation period required before they can take effect. Few, if any, military situations can be imagined in which a State would try to redress a military imbalance by retaliating with weapons whose effects would not show up for days. Furthermore, biological weapons could not destroy the military arsenal—the tanks, planes, and artillery—of an enemy, and the side that had initiated biological warfare would presumably have taken steps to protect its military forces, which would suffer far fewer casualties than would the civilian populations of both sides. Those, very briefly, are the reasons why biological weapons are not a necessary or even a useful counter to or insurance policy against the possible possession of biological weapons by some other State.

55. In the face of the grave risks in using biological weapons and of their doubtful retaliatory value, the justification for possessing them seems to reduce itself to the fear that one's adversary might possess them as well. Realizing this fact, and in an effort to reduce international tension, the United States has totally renounced biological warfare. We hope that more States will take similar action. We welcome the recent suggestions of the Yugoslav delegation for parallel action by other States⁴; but we strongly urge that such unilateral decisions be converted into a binding international commitment by the negotiation of a convention along the lines of the draft submitted by the United Kingdom.

56. The prospects for eliminating biological warfare through such a convention seem to us especially promising, and the advantages to the world community of a binding commitment seem obvious. The United States is not, after all, the only country with the capability of developing biological weapons. The unilateral commitment of the United States not to produce or stockpile biological weapons is not, of course, the same as an international act in which a large number of countries, including many with present or potential capabilities in this field, would join in outlawing the production and stockpiling of those weapons. The positive effect of a widely-supported international agreement would be substantial, and we should seize this opportunity to reinforce the already-existing agreements in this field.

57. In giving its support to the United Kingdom's draft convention the United States wishes to note its endorsement of article V. By its terms each party would undertake "to pursue negotiations in good faith on effective measures to strengthen the existing constraints on chemical methods of warfare".⁵ In many important respects, however, the problems surrounding chemical warfare are different from the problems of biological warfare and thus require separate treatment. Mrs. Myrdal last week pointed to some of these differences,⁶ and I should like, if I may, to carry

⁴CCD/PV. 456, pp. 16-17.

⁵*Documents on Disarmament, 1969*, pp. 431-433.

⁶*Ante*, pp. 85-91.

forward today the examination of one or two of the important problems involved in devising appropriate controls in the chemical weapons field.

58. Chemical weapons are primarily battlefield weapons. The enormous logistical burdens involved in their massive use would prevent their employment over the vast areas which could be attacked with biological weapons. Chemicals are more predictable and controllable than biological weapons. Unlike biological weapons, chemical weapons can produce immediate effects—an important quality for use in combat. For those reasons, chemical weapons have obvious usefulness in certain military situations. Their military utility was demonstrated in the First World War when 100,000 military personnel on both sides were killed by poison gas and 1.2 million additional casualties were reported. Today many States are capable of producing modern nerve agents which are both more toxic and more adaptable to a variety of battlefield uses than are the First World War gases.

59. At the present time some States believe that a chemical warfare capability is important for their national security. States maintain chemical warfare programmes and stockpiles to deter others from using these weapons and to provide a retaliatory capability if deterrence were to fail. Unlike the case with biological weapons, whose very doubtful retaliatory value we have already discussed, the inability of an attacked nation to retaliate with chemicals could give a significant military advantage to any government which might decide to violate the prohibition on the use of chemical weapons. If only one side were using chemical weapons, the mobility and fighting capacity of the other side would be greatly restricted in the entire area of combat by the need for protective clothing and other defensive measures, while the attacker would not be thus hampered in the areas he desires to leave free of contamination. As the Secretary-General's report states:

It is thus highly probable that once one of two well-equipped sides had been attacked with chemical weapons, it would retaliate in kind, in order to force its opponent to suffer the same penalties of restriction.⁷

60. Given that situation, there is a reluctance based on sound military considerations to eliminate chemical capabilities without firm assurance and safeguards that other States are doing likewise. Progress in eliminating chemical weapons therefore depends upon developing reliable and negotiable verification arrangements. The United States is prepared to give further careful study to this problem.

61. It is our preliminary impression that, although verification problems are very difficult, they are not necessarily insoluble. A ban on production and possession of chemical weapons clearly

⁷ *Documents on Disarmament*, 1969, p. 276.

could not be verified by national means alone, but the United States believes that substantial progress can be made in resolving the technical problems involved in verification by monitoring and inspection techniques. The United States Arms Control and Disarmament Agency has been studying the verification problem for several years, and we are encouraged by our studies of monitoring and inspection techniques. Should the Committee decide to undertake an intensive study of the chemical verification problem, the United States would make available experts in this field and appropriate research findings.

62. Because we believe that a ban on the production and possession of chemical weapons should be approached through a detailed examination of specific problems, I am today offering a working paper on one aspect of this subject, which was distributed this morning.⁸ You will note that it is concerned with the complex relationship between chemical weapons and peaceful chemical production. The working paper draws attention to the large number of industrial and commercial chemicals which themselves can be used as weapons or which are the raw materials or intermediates for weapons, to the capabilities of many of the nations of the world to manufacture such chemicals, and thus to the magnitude and complexity of the problem of determining what we want to prohibit and how such prohibition might be verified.

63. The whole problem of the relationship between industrial chemicals and chemical weapons points, in fact, to one of the obvious weaknesses in any agreement in this field which does not define in very specific terms exactly what activities are being prohibited. It is not adequate to prohibit the development, production and stockpiling of chemical weapons without defining those terms. The term "chemical weapons" does not have a self-evident meaning. It immediately raises several questions, such as whether the production and stockpiling of chemical agents or their intermediates would be permitted so long as they were not "weaponized"--that is, put into munitions. A related difficulty is that a tank of phosgene, for example, could be stored in a civilian warehouse for peaceful use but could easily be used as a weapon if necessary. Would identical tanks of phosgene be permitted in a civilian warehouse but prohibited in a military stockpile, and, if so, how could the diversion to military use be prevented?

64. Obviously the framing of both the appropriate prohibitions and the methods of verifying compliance with those prohibitions are difficult problems and will require considerable effort. My Government will provide additional working papers which will, I hope, contribute to an understanding of these problems and help the Committee to decide upon a reasoned course of action in attempting to resolve them. It is obvious to us that we cannot

⁸ *Supra*.

hope to eliminate chemical weapons unless we can agree on clear and unambiguous prohibitions and can have confidence that whatever bans are placed on such weapons are being observed. Difficult as the problem is, we must not put aside the question of controlling chemical weapons. Instead, we should be prepared to devote a great deal of energy to the chemical problem.

65. I am, of course, aware that some members of the Committee may hesitate to support a biological warfare convention because they fear it could have the effect of sanctioning chemical warfare activities. That is simply not the case. There are existing constraints on the use of chemical weapons, notably the 1925 Geneva Protocol.⁹ Those constraints would not in any way be undermined by further progress in this field; in fact, quite the contrary. Furthermore, we are dealing in reality with two different weapons systems. They have very different military roles, and doing away with one could hardly be a stimulus to activity involving the other. Chemical weapons are not substitutes for biological weapons. For its part, the United States has no intention of abusing the period which is obviously going to be necessary for this Committee to study chemical arms-control measures. It is, in fact, already a matter of record that the United States is not now producing any lethal chemical weapons for stockpile.

66. If, in examining the chemical and biological arms control problems, we can agree to negotiate on the basis of the United Kingdom draft convention and simultaneously pursue a study of how to handle the problems involved in restricting the development, production and stockpiling of chemical weapons, then we should be able to register one great achievement and lay the groundwork for another. If we try to eliminate both weapons at once and in the same manner, I fear that we shall have accomplished nothing at the end of a prolonged discussion.

67. Let us seize the opportunity we have at this time by once and for all destroying the spectre of biological warfare. If it can be said of us, when the time comes to review the accomplishments of the Disarmament Decade, that we opened the Decade by putting an end to the development of disease as a weapon of warfare, then we shall have earned the gratitude of people everywhere. As President Nixon stated in renouncing biological warfare. "Mankind already carries in its own hands too many of the seeds of its own destruction."¹⁰ This Committee has the responsibility and an immediate opportunity to see to it that certain of those seeds will never be sown.

⁹ *Documents on Disarmament*, 1969, pp. 764-765.

¹⁰ *Ibid.*, p. 593.

**Note From the Soviet Government to Secretary-General Thant:
International Exchange of Seismic Data, March 20, 1970¹**

The Soviet Government has already repeatedly stated its willingness to reach an agreement forthwith for the prohibition of underground nuclear tests on the basis of the use of national means of detection to verify such prohibition.

We believe that present-day science and technology have reached a stage in their development which makes it possible for national means to be used to verify compliance with an agreement for the prohibition of underground tests and thus to give all States the assurance that such agreement was being scrupulously observed. The attempts of some States to make it appear that world-wide verification of a prohibition against underground nuclear tests is necessary are completely without foundation. The settlement of this problem depends at the present time solely on a political decision.

In the light of the foregoing, we do not see the necessity of resorting to the international exchange of information on seismic stations, in order to verify the prohibition of underground nuclear explosions.

As to the international exchange of seismological data, the Soviet Union, wishing to further the general development of seismology, is, as is generally known, engaged in carrying out such co-operation on a large scale.

**News Conference Remarks by President Nixon on Strategic
Arms Limitation Talks [Extract], March 21, 1970¹**

Q. Mr. President, the Senate Foreign Relations Committee yesterday voted out unanimously and sent to the floor a "sense of the Senate" resolution concerning the U.S. position at SALT.² Could you make a remark about that?

The President. Well, the Senate resolution, I understand, simply says that the United States and Soviet Union should try to negotiate a freeze on offensive and defensive missiles.

Of course, that is what SALT is all about, so I think the resolution really is irrelevant to what we are going to do. That is our goal. It takes two, however, to make the deal.

If the Soviet Union will come along with that, as we hope they will, then perhaps we can make some arrangements. I can certainly

¹ A/7967, Mar. 30, 1970.

² *Weekly Compilation of Presidential Documents*, Mar. 23, 1970, p. 401.

³ *Post*, p. 132.

say in this respect, though, that it is somewhat more intricate than the resolution would imply.

We found in our preliminary discussions that the Soviet Union did not come in with generalized language which had been previously their tactic in arms negotiations, but they came in with very precise weapon systems by weapon systems analysis.

Now whether we eventually have a comprehensive agreement, or a system-by-system agreement, remains to be seen. We are prepared for either.

But our goal certainly is to limit both offensive and defensive missiles, and if the Soviet Union has the same goal we will make a bargain.

**News Conference Remarks by Secretary of State Rogers on
Strategic Arms Limitation [Extract], March 23, 1970¹**

Q. Mr. Secretary, two questions on the SALT talks: What is your feeling about the Senate Foreign Relations Committee resolution last week?² And secondly, do you yourself think it is too late to get any kind of agreement on MIRV, given the deployment and development decision?

A. Well, on the Senate resolution, it is largely a paraphrase of what is in the NPT. We are bound by the terms of the Nonproliferation Treaty³ to engage seriously in discussions about limitation of both offensive and defensive weapons. Certainly the objective that is cited in the resolution is a good one. That's what the arms limitation talks are all about. How those talks should be conducted, how we negotiate, should be left to the negotiators. I think the negotiating team is exceptionally able, and we are just as anxious to be successful in those talks as the Senate is.

Referring to the second part of your question, I don't think it is too late to have any kind of an agreement. The purpose of the SALT talks is to see if we can find an agreement that is mutually acceptable to both the Soviet Union and the United States.

The Soviet Union has not stopped any of its deployment. It has had very impressive deployments of its strategic missiles lately. It has increased its submarine capacity substantially. If the Soviet Union wants an agreement and we can work one out that is not to our disadvantage, then I don't think it is impossible at all that we could stop deployment of any strategic weapons systems.

¹ Department of State Bulletin, Apr. 13, 1970, p. 483.

² Post, p. 132.

³ Documents on Disarmament, 1968, pp. 461-465.

Statement by the Canadian Representative (Ignatieff) to the Conference of the Committee on Disarmament: Chemical and Biological Warfare, March 24, 1970¹

I should like to thank Mr. Abe for his reference to the Canadian delegation and to say that he is too modest about the contribution of the Japanese delegation. If no other member of the Committee wishes to speak, I should like now to make a statement in my capacity as representative of Canada.

22. In my opening statement at this session I indicated that in the opinion of the Canadian delegation the Conference should give priority during this session to completion of the sea-bed arms control treaty and the question of the elimination of chemical and biological methods of warfare.² I made that suggestion partly because discussion of those two topics would be a logical extension of the work begun on them at our 1969 session, and partly because the last United Nations General Assembly provided specific mandates to the Committee on both topics.

23. This morning I should like to make some remarks on the problem of the elimination of chemical and biological warfare. As an agreed basis for commencing our discussions we have resolution 2603 B (XXIV)³, which *inter alia* recommends to us the report of the Secretary-General⁴ and takes note of the United Kingdom draft convention on biological methods of warfare⁵ and the draft convention on the prohibition of the development, production and stockpiling of both chemical and biological weapons and on the destruction of such weapons submitted to the United Nations General Assembly by nine socialist countries.⁶ The resolution also requests us to give urgent consideration to reaching agreement on the prohibitions contained in the United Kingdom and socialist drafts, and to submit a progress report on all—I repeat, all—aspects of the problem of the elimination of chemical and biological weapons to the next session of the General Assembly.

24. In my view, therefore, we should approach this problem by trying to consolidate, in the first instance, the common ground which I believe exists as a result of (a) our discussions in the United Nations General Assembly and (b) the relevant reports available to us, as well as by the recognition of the constraints already in existence on the use of those weapons. Once we have taken stock of where we are now we can then, I hope fairly rapidly, move to clarify what our objectives should be in developing further necessary restrictions on chemical and biological weapons, in particular delineating the areas where immedi-

¹ CCD/PV. 460, pp. 9-15.

² CCD/PV. 453, p. 20.

³ *Documents on Disarmament, 1969*, pp. 717-719.

⁴ *Ibid.*, pp. 256-298.

⁵ *Ibid.*, pp. 431 ff.

⁶ *Ibid.*, pp. 455-457.

ate progress is possible as well as those areas where further consideration will be required if obstacles are to be removed.

25. Now, following that approach, I should like to review briefly the basic elements of the foundation, as we see it in the Canadian delegation, upon which we should be able to construct concrete measures whose purpose shall be the complete elimination of chemical and biological weapons.

26. First and foremost we have the 1925 Geneva Protocol.⁷ Despite its age and the extensive scientific developments in chemical and biological warfare which have taken place since it was concluded, no one, I believe, has contended that that instrument is obsolete. Its effectiveness is evidenced by the fact that since it was drawn up the world has been virtually free of gas warfare as it was used in the First World War; although of course the fear of retaliation may have contributed to that absence in some instances. Nevertheless I think we can say that the Geneva Protocol has been effective in banning the "first use" of chemical and biological weapons. Our task then is to strengthen and supplement this Protocol by the conclusion of measures to eliminate any development, production and stockpiling of chemical and biological weapons.

27. Next we have the three reports of the experts, which have all been prepared within the past year. I refer to the report of the Secretary-General which was recommended to us for our attention by the last United Nations General Assembly, the recent report on health effects drawn up by experts appointed by the World Health Organization,⁸ and lastly the first three parts of a report prepared in Stockholm by the Stockholm International Peace Research Institute (SIPRI),⁹ for which we are duly grateful and which we think will be of exceptional value to the Committee, particularly in our discussion of possible methods of verifying a CBW ban. All those reports should assist us in defining the problems and clarifying the characteristics of the systems with which we shall be dealing.

28. Finally, the Conference has, as I mentioned before, two draft conventions--the United Kingdom draft convention banning biological methods of warfare and the draft convention submitted by the socialist countries on the prohibition of chemical and biological methods of warfare and the destruction of those weapons.

29. I believe it is important to recognize that no one at this Conference has contended that the consideration of the various documents of the Assembly resolution governing our work should be separated. I pointed out in my general statement¹⁰ that in

⁷ *Ibid.*, pp. 764-765.

⁸ World Health Organization, *Health Aspects of Chemical and Biological Weapons: Report of a WHO Group of Consultants* (Geneva, 1970).

⁹ *The Problem of Chemical and Biological Warfare* (prov. ed., Stockholm, 1970).

¹⁰ CCD/PV. 453, p. 21.

supporting the United Kingdom draft convention I also had in mind the statement of Lord Chalfont that he was willing to fall in with the wishes of the majority if that majority wished to discuss the prospects for progress in both chemical and biological warfare together.¹¹ Moreover, the United Kingdom draft contains a number of important points. Notable among them is the care with which the definition of the agents to be prohibited has been drawn up and the complaints procedure provided for the purposes of verifying compliance with the convention. On the other hand, the draft presented by the socialist countries has the advantage of dealing with both chemical and biological weapons. Unfortunately it also has some defects. Certain other speakers have referred to the vagueness with which chemical and biological weapons are referred to in the draft of the socialist delegations.

30. Those comments lead directly, we think, to the necessity to differentiate and to include, if we are to have an effective ban, both weapon components and their means of delivery. However, the present wording of the draft does not make that as clear as we would wish, and it leaves the impression that the prohibitions might leave a party the right to retain a retaliatory capability. That consideration in particular has to be examined in relation to chemicals capable of use for non-military as well as for military purposes, as was clearly brought out in the "mapping expedition" of the representative of Sweden.¹² In the context of capability, we shall need clarification from the co-sponsors of this draft convention of the exact relationship between the prohibitions envisaged in the draft convention and the reservation of many States, including both the Soviet Union and Canada, of the right to retaliate against non-party violators of the prohibitions of the Protocol or their allies.

31. That problem in turn leads us to the important question of assurances that may be devised that the prohibitions of the convention will be observed. There has been some discussion of this aspect of the draft of the socialist countries both here and at the twenty-fourth session of the General Assembly; and I would only add at this time that we are looking forward to receiving the proposals to which my colleague Mr. Natorf of Poland referred at our meeting on 24 February.¹³

32. Taking into account all the above, it would appear that we have more than adequate background and documentation to begin our labours. The question to which we need to give attention is what should be our objectives and how best we should move to attain them. In our view—and the view of the Canadian delegation, I admit, is by no means an original one—the ultimate objective should be to ban all use, production and stockpiling of both

¹¹ *Ante*, p. 38.

¹² *Ante*, pp. 83-91.

¹³ CCD/PV. 452, p. 9.

chemical and biological weapons, and our negotiations should begin by the identification of common areas of agreement and areas that will require more detailed study and examination because of differing views.

33. We welcome the recent announcements by President Nixon,¹⁴ and on that basis we hope that it will be relatively easy to reach agreement on the total prohibition of the development, production, stockpiling and any use of biological weapons and toxins. Concurrently we wish to devote our attention to the possibilities for the total prohibition of chemical weapons. In that regard we need to examine the particular problems that certain broad groupings of these weapons pose, as well as the lack of any sharp demarcation between these groupings because of differing effects in various conditions and in varying concentrations.

34. In the process of examining the range of chemical weapons, we must recall—as did the representative of Sweden¹⁵ and of the United States¹⁶ in their examination of the problem in some detail—that some chemical agents are what might be called “dual purpose” and play an important commercial role, for which they are manufactured by virtually the same process as are the same agents for weapons purposes. That problem was also recognized, particularly in the context of verification, by the representative of the Soviet Union in his statement on 3 March, when he said:

Many representatives drew attention in this connexion to the special nature of chemical and bacteriological weapons, the production of which is closely and specifically linked to the production of chemical and bacteriological substances for peaceful purposes. For this reason verification in the form, for instance, of control posts, the dispatch of on-site inspection groups and so on would be simply impossible from the practical point of view since, as several representatives at the General Assembly pointed out, it would be necessary to have controllers in almost every laboratory.¹⁷

Obviously there will be great difficulties in the way of a complete ban on the production of all these agents. Nevertheless, despite the verification difficulties, the Conference might usefully examine, as suggested by the representative of the Netherlands the other day, exactly what safeguards might be feasible.¹⁸

35. There are yet other chemical agents which it will be necessary to continue to produce, primarily although not exclusively for civilian use in the maintenance of internal order. A total ban on those agents presents certain difficulties; but on the other hand such agents can probably be identified now with relatively little difficulty and any exclusion of them from a general ban can be correspondingly taken into account.

¹⁴ *Documents on Disarmament*, 1969, pp. 590-593; *ante*, pp. 5-6.

¹⁵ *Ante*, pp. 83-91.

¹⁶ *Ante*, pp. 100-106.

¹⁷ *Ante*, pp. 71-78.

¹⁸ CCD/PV. 458, p. 14.

36. The problems of effective safeguards, particularly on the side of chemical weapons, are not simple, but we are inclined to think that a full-scale discussion of these problems might well await progress on reaching a consensus in dealing with the particular problems that I have noted concerning chemical agents. Nevertheless, a useful preliminary examination might be made of the five main methods for formal verification identified in part IV of the SIPRI report which the representative of Sweden has circulated. These are methods of (1) administrative and budgetary inspection, (2) a search through the existing literature, (3) aerial and satellite reconnaissance, (4) remote sensors, and (5) visiting inspection teams. In fact, the Canadian delegation would like to suggest that these problems I have just mentioned might be discussed at a technical level in an informal meeting or series of informal meetings attended by relevant experts. If this were the feeling of the Committee, our delegation for one would be prepared to bring an expert to Geneva and to participate in such a meeting or series of meetings.

37. Now, with the permission of my colleagues I should like to be allowed to read a statement of the Canadian position concerning chemical and biological warfare which I have been authorized by my Government to present to this Conference:

The Government of Canada intends to contribute fully to the efforts of the United Nations and of the Conference of the Committee on Disarmament to reduce and, if possible, eliminate the possibility of chemical and biological warfare. Canada intends to participate actively in negotiations towards an agreement or agreements which would supplement and strengthen the Geneva Protocol of 1925 by prohibiting the development, production and stockpiling of chemical and biological weapons. Practical progress need not wait until the conclusion of these negotiations. The Protocol can be strengthened significantly through unilateral declarations of policy and intent on issues involved. For this purpose, the Government of Canada wishes to make known its attitude towards chemical and biological warfare.

(1) Canada never has had and does not now possess any biological weapons (or toxins) and does not intend to develop, produce, acquire, stockpile or use such weapons at any time in the future.

(2) Canada does not possess any chemical weapons and does not intend to develop, produce, acquire, stockpile or use such weapons at any time in the future unless these weapons should be used against the military forces or the civil population of Canada or its allies. The latter condition is in accordance with the reservations Canada entered at the time of our ratification of the Geneva Protocol of 1925. We could consider formally withdrawing our reservations if effective and verifiable agreements to destroy all stockpiles and prevent the development, production and acquisition of chemical weapons can be concluded.

Tear gas and other crowd and riot control agents are not included in this present commitment because their use or the prohibition of their use in war presents practical problems in relation to the use of the same agents by police and armed forces for law enforcement purposes which require detailed study and resolution.

38. In concluding, I should like to make one comment about the research being conducted in Canada by the Department of National Defence, through its Defence Research Board, on chemical and biological defence. This has been halved during the last two years and is limited to the development of methods of

protection against chemical and biological warfare, the development of protective clothing, equipment and methods for training troops to defend themselves. Research of this kind is entirely consistent with the Geneva Protocol of 1925 and with our current efforts to supplement and strengthen that Protocol. Indeed, in this latter context I am authorized to state that the Canadian Government has instructed that the Defence Research Board's research programme should include research towards resolving problems associated with the verification of any comprehensive ban on chemical and biological warfare that may be concluded.

Report by the Senate Foreign Relations Committee on Strategic Arms Limitation Resolution, March 24, 1970¹

The Committee on Foreign Relations, to which was referred a resolution (S. Res. 211) expressing the sense of the Senate concerning strategic arms limitations, reports favorably thereon with amendments and recommends that the resolution, as amended, be passed.

PURPOSE

There are two resolving clauses to Senate Resolution 211, as amended. The first states that it is the sense of the Senate that prompt negotiations be urgently pursued between the Governments of the United States and of the Union of Soviet Socialist Republics to seek agreed limitations of both offensive and defensive strategic weapons. This purpose is consistent with article VI of the Treaty on the Nonproliferation of Nuclear Weapons which binds the United States and Soviet Governments "to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date. . . ."² The second resolving clause expresses the sense of the Senate that the President of the United States should propose to the Soviet Government an immediate suspension by the United States and the Soviet Union of the further deployment of all offensive and defensive nuclear strategic weapons systems, subject to national verification or other measures of observation and inspection as may be appropriate.

The full text of Senate Resolution 211, as reported, follows:

Whereas the competition to develop and deploy strategic weapons has reached a new and dangerous phase, which threatens to frustrate attempts at negotiating significant arms limitations and to weaken the stability of nuclear deterrence as a barrier to war; and

Whereas development of multiple independently targetable reentry vehicles by both the United States and the Soviet Union represents a fundamental and radical challenge to such stability; and

¹ S. Rept. 749, 91st Cong., 2d sess. For the amended resolution approved by the Senate, see *post*, p. 132.

² *Documents on Disarmament*, 1968, p. 464.

Whereas the possibility of agreed controls over strategic forces appears likely to diminish greatly if testing and deployment of multiple independently targetable reentry vehicles proceed; and

Whereas a suspension of flight tests of multiple independently targetable reentry vehicles promises to forestall deployment of such provocative weapons; and

Whereas a suspension of such tests could contribute substantially to the success of the strategic arms limitation talks between the United States and the Soviet Union: Now, therefore, be it

Resolved, That it is the sense of the Senate that prompt negotiations between the Governments of the United States of America and of the Union of Soviet Socialist Republics to seek agreed limitations of both offensive and defensive strategic weapons should be urgently pursued; and

Resolved further, That the President of the United States of America should propose to the Government of the Union of Soviet Socialist Republics an immediate suspension by the United States and by the Union of Soviet Socialist Republics of the further deployment of all offensive and defensive nuclear strategic weapons systems, subject to national verification or such other measures of observation and inspection as may be appropriate.

COMMITTEE ACTION

Senate Resolution 211 was introduced by Senator Edward W. Brooke and 39 cosponsors on June 17, 1969. Three additional Senators joined as cosponsors subsequently.

The resolution as originally introduced expressed the sense of the Senate that the President should propose to the Soviet Government an immediate suspension by both countries of flight tests of multiple independently targetable reentry vehicles, subject to national verification or such other measures of observation and inspection as appropriate, and also that the Government of the United States should declare its intention to refrain from additional flight tests of multiple independently targetable reentry vehicles as long as the Soviet Union also refrained. The original resolution was referred to the State Department on June 18, 1969, with a request for executive branch comments.

The Department of State replied on June 24, in a letter from William B. Macomber, Jr., Assistant Secretary for Congressional Relations, to the chairman. The State Department reply stated that the executive branch was in accord with the resolution in supporting the desirability of starting talks with the Soviets on the subject of limitations on strategic weapons and went on to note that preparation for these talks was underway. The letter called attention to President Nixon's statement at his news conference of June 19 at which he said:

We are considering the possibility of a moratorium on tests as part of any arms control agreement. However, as for any unilateral stopping of the tests on our part, I do not think that it would be in our interest.³

Finally, the Department of State's letter observed that preparations for opening the talks with the Soviet Union were being considered by the National Security Council and that consequently the Department did not believe that a witness to testify on the resolution would be helpful to the committee.

The Subcommittee on International Organization and Disarmament Affairs of the Committee on Foreign Relations held a public hearing on the original resolution on July 16, 1969. The witnesses were Dr. Gordon MacDonald, vice chancellor for research and graduate affairs, University of California at Santa Barbara; Dr. Jack T. Ruina, professor of electrical engineering, Massachusetts Institute of Technology; and Dr. Herbert York, professor of physics, University of California at San Diego. The hearings have been separately printed. In the course of the hearing, Senator Brooke read into the record a portion of a letter from Dr. Freeman Dyson of the Institute for Advanced Study. All three witnesses and Dr. Dyson supported the objectives of the resolution.

Senate Resolution 211 was discussed in an executive session of the Committee on Foreign Relations on October 7, 1969. At that meeting, a revised text of the resolution was presented by Senator Brooke which deleted the resolving clause relating to a declaration of intent by the United States to refrain from additional flight tests of multiple independently targetable reentry vehicles as long as the Soviet Union also refrained. At the October 7 meeting, some members of the committee expressed a desire to hear Secretary Rogers report on the discussions he had recently held with the Soviet Foreign Minister. Other members of the committee said that they would prefer to hear additional testimony before taking action on the resolution.

The committee met with Secretary Rogers in executive session on October 29, 1969. Secretary Rogers told the committee that the Department of State supported the spirit of the resolution but that he did not think it would be helpful to the SALT talks which were about to begin.

Senate Resolution 211 was discussed again at an executive session of the committee on February 10, 1970. It was the consensus of the members of the committee present that further consideration of the resolution should be related to the administration's plans with regard to the Safeguard system and the relationship of both this question and the MIRV question to the SALT talks.

All of these subjects were discussed at a classified executive session on February 2, 1970, when the committee met with Mr.

³ *Ibid.*, 1969, p. 255.

Gerard Smith, Director of the Arms Control and Disarmament Agency, for a briefing on the SALT talks. Soviet and Chinese strategic weapons developments were discussed in a classified executive session on March 2, 1970, at which Mr. Richard Helms, Director of the Central Intelligence Agency, testified.

A second public hearing on Senate Resolution 211 was held on March 16, 1970, by the Subcommittee on Arms Control, International Law and Organization, which had formerly been called the Subcommittee on International Organization and Disarmament Affairs. The witnesses were Senator Brooke and Dr. Marshall Shulman, director of the Russian Institute, Columbia University. In the course of his statement to the subcommittee, Senator Brooke asked that the second resolving clause of the original resolution be amended to include an immediate suspension by the United States and the Soviet Union, of both flight tests and deployment, rather than simply flight tests, of multiple independently targetable reentry vehicles.

The resolution was discussed again in an executive session of the committee on March 20, 1970. Some members of the committee felt that a suspension of both testing and deployment of only multiple independently targetable reentry vehicles would pose certain risks for the United States. Others were of the view that a resolution which called for a suspension of only flight tests, but not deployment, would not be received as a reasonable basis for agreement in light of the fact that the testing program of the United States has proceeded to the point where deployment is imminent while the Soviet Union is apparently not yet in a position to deploy without considerable further testing.

Senator Cooper therefore proposed an amendment to the second resolving clause of the original resolution expressing the sense of the Senate that the President should propose to the Soviet Government an immediate suspension by both Governments of the further deployment of all offensive and defensive nuclear strategic weapons systems, subject to national verification or such other measures of observation and inspection as may be appropriate. The committee then voted, 10 to 0, to order Senate Resolution 211, incorporating Senator Cooper's amendment, reported favorably to the Senate.

In agreeing to the amendment, the committee decided that the committee report should note specifically that the further deployment of one specific offensive nuclear strategic weapons system—multiple independently targetable reentry vehicles—could most effectively be suspended by stopping further flight tests which are subject to national verification or other measures of observation and inspection. The committee also decided that language in the preliminary clauses should be retained indicating that a suspension of flight tests of such weapons promises to forestall further deployment.

COMMITTEE COMMENTS AND RECOMMENDATIONS

It is generally agreed that there is today, as a practical matter, rough parity between the Soviet Union and the United States as far as strategic nuclear weapons are concerned, inasmuch as neither can destroy the other without risking certain destruction itself. But even though both appear to have a sufficiency of offensive strategic weapons, both are continuing or initiating the deployment of major strategic weapons systems. It would seem, therefore, both feasible and desirable to provide the strategic arms limitation talks with an opportunity to reach agreements without the additional problem of having to take into account a constantly shifting and asymmetrical situation with respect to strategic weapons. The committee believes that an immediate mutual suspension of further deployment of all offensive and defensive nuclear strategic weapons systems, as proposed by this resolution, would provide such an opportunity.

As testimony before the committee has made clear, a suspension of the testing and deployment of multiple independently targetable reentry vehicles is an essential element of a more general suspension of further deployment of all offensive and defensive strategic nuclear weapons. But it is also clear, and must be emphasized in this report, that a suspension of testing and deployment of multiple independently targetable reentry vehicles could not be sustained for long in the face of the deployment by the Soviet Union of large numbers of missiles, such as the SS-9, or the development and deployment of new strategic defensive systems by the United States or the Soviet Union.

The question naturally arises whether a suspension of the deployment of all offensive and defensive strategic weapons systems, which the resolution as reported urges, can be verified. The committee is inclined to the view that a general halt in the deployment of all strategic weapons is more secure against significant evasion than a more limited suspension would be. First of all, it is easier to monitor the strategic activity of an adversary in the context of a general freeze on the deployment of all new weapons than it is to monitor a situation characterized by constant change in the types and numbers of strategic weapons systems involved. Second, given the rough parity which now prevails between the United States and the Soviet Union, far more evasion would be required to provide one party with a significant advantage within the context of a general suspension of the further deployment of all weapons than would be required in the case of a more limited suspension.

The committee recognizes that Senate Resolution 211 is in the nature of advice to the President which he is free to accept or reject. The committee believes, however, that the resolution expresses a growing recognition by the American people that no effort must be spared to bring to an end the escalating cycle of the

deployment of nuclear weapons systems—a cycle which threatens all mankind with destruction. The President and our negotiators must determine whether the Soviet Union shares this recognition and whether adequate means can be devised to assure both parties that escalation in these weapons systems can be brought to an end pursuant to the obligation binding on the Soviet and the United States Governments under article VI of the Treaty on the Nonproliferation of Nuclear Weapons

The effect of this resolution is to urge the President to seek an agreement at the outset of negotiations which would freeze this escalation and to indicate that he has the support of the Senate in such efforts. The resolution supplies a clear expression of the belief that the present time provides an excellent opportunity to prevent the beginning of weapons deployments that will take several years to complete, will in turn inevitably give rise to other weapons systems and will thus complicate the negotiating situation with respect to strategic nuclear weapons, perhaps to the point where meaningful agreements will be impossible. An interim halt would provide an opportunity to avoid this sequence of events. But it is a fleeting opportunity that must be seized now. To this end, the committee recommends the adoption of Senate Resolution 211.

Report of the House Foreign Affairs Committee on Arms Control and Disarmament Act Amendments, March 26, 1970¹

The Committee on Foreign Affairs, to whom was referred the bill (H.R. 16200) to amend the Arms Control and Disarmament Act, as amended,² in order to extend the authorization for appropriations and provide for the uniform compensation of Assistant Directors, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

On the first page, strike out line 8 and all that follows down through line 8 on page 2.

Amend the title so as to read: "A bill to amend the Arms Control and Disarmament Act in order to extend the authorization for appropriations."

COMMITTEE ACTION

On February 24, 1970, the House of Representatives received a communication from the President of the United States (Executive Communication 1675), transmitting a draft of proposed legislation to amend the Arms Control and Disarmament Act, as amended, in order to extend the authorization of appropriations

¹ H. Rept. 91-973, 91st Cong., 2d sess.

² *Documents on Disarmament*, 1961, pp. 482-495; *ibid.*, 1963, pp. 622-623; *ibid.*, 1965, p. 206; *ibid.*, 1968, p. 396.

for the 2 fiscal years 1971 and 1972 and to provide for the uniform compensation of Assistant Directors of the Agency.

Subsequently, on February 26, 1970, a bill to amend the Arms Control and Disarmament Act was introduced by Honorable Thomas E. Morgan, chairman of the Committee on Foreign Affairs.

The committee heard testimony on the bill on February 26, 1970, from the Director of the Arms Control and Disarmament Agency, Honorable Gerard Smith, and the Deputy Director, Honorable Philip J. Farley.

Thereafter, the committee met in executive session on March 25, 1970, to consider the bill and ordered it favorably reported with amendments by a vote of 27 to 0.

COMMITTEE AMENDMENTS

The committee struck out a provision requested by the Executive, authorizing the payment to an Assistant Director who is an officer of the Armed Forces on active duty, in addition to his military pay and allowances, an amount equal to the difference between such pay and allowances and any higher compensation established for the position of Assistant Director.

There are four Assistant Directors of the Arms Control and Disarmament Agency, one of whom has always been an officer of the Armed Forces. The civilian Assistant Directors receive salaries of \$36,000 a year, while the military officer assigned to serve in such a capacity, who has always been of three-star rank, has received only his military pay and allowances.

In the judgment of the committee, the compensation and allowances of a three-star officer, together with the less tangible benefits he enjoys, should be sufficient so that an assignment to the Arms Control and Disarmament Agency as an Assistant Director should not be regarded as a hardship post.

Should a military officer find the salary paid to the civilian Assistant Directors sufficiently advantageous, it should be possible for him to forgo his active duty status and accept appointment on the same basis as the other Assistant Directors.

The other committee amendment merely conforms the title so that it accurately reflects the committee action.

PURPOSE OF LEGISLATION

H.R. 16200 authorizes an appropriation of \$17,500,000 to finance the operation of the Arms Control and Disarmament Agency for a 2-year period. Although no allocation to specific years is made, the Agency has programed \$8.3 million for fiscal year 1971 and \$9.2 million for fiscal year 1972.

The previous authorization in 1968 was \$18.5 million for the 2 fiscal years 1969 and 1970. The appropriation for fiscal year 1969 was \$9,000,000 and for 1970 was \$9,500,000.

Except for the authorization of funds, the bill, as reported by the committee, makes no change in the existing authority of the Arms Control and Disarmament Agency.

The Arms Control and Disarmament Agency is an independent agency which provides recommendations and advice to the President, the Secretary of State, and other officials of the executive branch on matters relating to arms control and disarmament.

An important aspect of its operations relates to servicing the representatives of the United States in the conduct of negotiations with other nations dealing with arms control and disarmament.

The work of the Agency has assumed added importance because of the bilateral strategic arms limitation talks (SALT) and the recently initiated effort of the United States to negotiate agreements with respect to chemical and biological warfare.

The following tables show the allocation of funds for the previous authorizations for the fiscal years 1969 and 1970, and the proposed allocation of the funds requested for fiscal years 1971 and 1972:

TABLE 1.—ALLOCATION OF FUNDING FOR EXPIRING FISCAL YEARS 1969-70 AUTHORIZATION PERIOD

	1969 Actual	1970 estimate	Total
Program operation	\$5,365,289	\$6,600,000	\$11,965,289
External research	2,489,264	2,190,000	4,679,264
Field testing	1,112,792	710,000	1,822,792
Subtotal	3,602,056	2,900,000	6,502,056
Total obligations	8,967,345	9,500,000	18,467,345
Unobligated balance	32,655	.....	32,655
Grand total	9,000,000	9,500,000	18,500,000

TABLE 2.—PROJECTED ALLOCATION OF FUNDING REQUESTED FOR FISCAL YEARS 1971-72 AUTHORIZATION PERIOD

	1971 estimate	1972 estimate	Total
Program	\$6,300,000	\$6,700,000	\$13,000,000
External research	1,545,000	1,800,000	3,345,000
Field testing	455,000	700,000	1,155,000
Subtotal	2,000,000	2,500,000	4,500,000
Grand total	8,300,000	9,200,000	17,500,000

In general, the outlook in the arms control and disarmament field is somewhat brighter today than in past years. We are engaged in a direct discussion with the Soviet Union on matters of fundamental importance to both of our nations. The Soviets have also exhibited a cooperative attitude on arms control at the

Committee on Disarmament in Geneva and at the United Nations. It is essential that the Arms Control and Disarmament Agency be provided with the funds necessary to carry out its important responsibilities.

PUBLIC INFORMATION

The committee recognizes the importance of making available to the public adequate information concerning the problems involved in dealing with arms control and disarmament and the efforts being made to deal with them. As one of the four principal functions of the Arms Control and Disarmament Agency, section 2 (c) of the Act assigns to the Agency responsibility for "the dissemination and coordination of public information concerning arms control and disarmament."³ At the same time, section 49(d) of the act provides—

None of the funds herein authorized to be appropriated shall be used to pay for the dissemination within the United States of propaganda concerning the work of the United States Arms Control and Disarmament Agency.⁴

The committee sees no inconsistency between these two provisions and is convinced that it is possible to distinguish between the dissemination of propaganda and furnishing to the public the appropriate information as required by section 2(c). The matters involved are frequently highly technical and complex, and it is necessary that the public be able to arrive at an informed judgment on the issue which confronts the United States in this important field.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of Rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in *italic*, existing law in which no change is proposed is shown in roman):

SECTION 49(a) OF THE ARMS CONTROL AND DISARMAMENT ACT

Appropriation

Sec. 49. (a) There are hereby authorized to be appropriated not to exceed \$10,000,000 to remain available until expended, to carry out the purposes of this Act. In addition, there is hereby authorized to be appropriated for the fiscal years 1964 and 1965, the sum of \$20,000,000 and for the three fiscal years 1966 through 1968, the sum of \$30,000,000 and for the two fiscal years 1969 through 1970, the sum of \$18,500,000, *and for the two fiscal years 1971 and 1972, the sum of \$17,500,000*, to remain available until expended, to carry out the purposes of this Act. Notwithstanding any other provision of this Act, not more

³ *Ibid.*, 1961, p. 483.

⁴ *Ibid.*, 1963, p. 623.

than \$7,000,000 of the funds appropriated pursuant to the preceding sentence for fiscal years 1969 through 1970 may be used for the purpose of research, development, and other studies conducted in whole or in part outside the Agency, whether by other government agencies or by public or private institutions or persons: *Provided*, That this limitation shall not apply to field test activities conducted pursuant to the authority of this Act.

Soviet Note to Secretary-General Thant on the Economic and Social Consequences of Disarmament, March 27, 1970¹

The position of the Union of Soviet Socialist Republics with regard to the economic and social consequences of disarmament was set out in detail in the economic programme for disarmament submitted by the Soviet Government for consideration by the United Nations in 1962,² and also in the replies to previous questionnaires by the Secretary-General on the same subject (see E/3593/Rev.1, E/3736/Add.15, E/3898/Add.1, E/4042, E/4169/Add.1 and E/4494).

The ending of the arms race and the achievement of general and complete disarmament would give a powerful impetus to the economic development of all States without exception. The conversion to peaceful needs of the immense resources involved—each year the military preparations of all countries absorb more than \$200 thousand million—would stimulate world trade and promote the expansion of mutually advantageous economic relations among States, and this alone would have a favourable effect on the economic situation in all countries. The possibility of providing direct economic assistance to the developing countries would increase, and the removal of the burden of military expenditure would favourably affect the economic situation of both developed and developing States.

The Soviet Government, impelled by its concern to enhance the well-being of the Soviet people, is steadily increasing its expenditure on the development of the economy, on education, science, health and housing construction and on the production of consumer goods. It is common knowledge that the Soviet Union has for a number of years been reducing its military expenditure and its armed forces, thus releasing the considerable material and human resources which are so necessary for the peaceful and constructive life of our society.

However, the sources of tension in the world have not been removed; the course pursued by certain States of working against the relaxation of international tension and engaging in provocation in various parts of the world, and the unceasing arms race with its

¹ E/4811/Add. 1, Apr. 24, 1970.

² *Documents on Disarmament*, 1962, vol. II, pp. 938-943.

attendant acute international crises, prevent any solution to the problems of consolidating peace and international security and achieving general and complete disarmament.

The race in conventional and nuclear weapons which has been imposed on the world threatens the whole of mankind with incalculable disasters. The need to make real advances towards general and complete disarmament is clear and urgent.

In his statement at the ceremonial meeting held on the occasion of the fifty-second anniversary of the Great October Socialist Revolution, the President of the Presidium of the Supreme Soviet of the USSR, N.V. Podgorny, said:

The Soviet Union sees in the solution of the disarmament problem an effective means of ensuring a system of international security which would prevent the possibility of recourse to force as a means of solving disputes among States. The immense resources consumed by the arms race would be converted to peaceful purposes and to increasing the well-being of peoples.³

This year, 1970, is the twenty-fifth anniversary of the end of the Second World War, which cost millions of lives and severely damaged the economy of the Soviet State. Guided by the desire to spare the world the danger of new wars and to open new possibilities for the achievement of universal economic progress, the Soviet Union consistently and firmly supports co-operation among all States of the world to prevent aggressive wars and armed conflicts, eliminate their consequences and strengthen international security.

General and complete disarmament can make a decisive contribution to achieving universal peace and security and saving the world from the threat of another war. At the same time, it will create real possibilities of achieving unprecedented economic progress in all countries of the world.

Statement by the Soviet Representative (Roshchin) to the Conference of the Committee on Disarmament: Chemical and Bacteriological Weapons, April 2, 1970¹

First of all, may I be allowed to congratulate you, Mr. Chairman, on your appointment to the post of representative of Czechoslovakia in our Committee. We wish you every success in your activities, which involve important tasks in the field of international policy and the security of States. May I also be allowed to congratulate Ambassador Benhima, who has also arrived in our midst to participate in our work as the representative of Morocco.

5. In today's statement the Soviet delegation would like to dwell on the problem of the prohibition of chemical and bacterio-

³ *Current Digest of the Soviet Press*, vol. XXI, no. 45 (Dec. 3, 1969), p. 9.

¹ CCD/PV. 461, pp. 5-13.

logical (biological) weapons. We are gratified to note that this problem has occupied a prominent place in the work of the current session of the Committee. The intensive discussion of the question of chemical and bacteriological (biological) weapons at this session enables us to have a well-defined picture of the views of the member States regarding the direction in which we should proceed in order to carry out the task in this field and to sum up some preliminary results of the discussion now going on.

6. In point of fact, all the States members of the Committee have declared that chemical and bacteriological (biological) weapons must be removed from military arsenals and that the prohibition of these agents of warfare must provide for the cessation of their development, production and stockpiling and for their destruction. In the opinion of most States, the starting point for all these measures regarding chemical and bacteriological weapons should be the Geneva Protocol of 1925,² which prohibits the use in war of all types of chemical and bacteriological agents. In these circumstances there is reason to hope that a positive result will be achieved in the matter of prohibiting chemical and bacteriological weapons. At the same time it would be wrong to close our eyes to the difficulties and divergent views which exist on a number of important questions of principle.

7. The basic difficulty which the Committee has encountered in solving the problem of the prohibition of chemical and bacteriological weapons, and which has in fact raised a barrier to the solution of that problem, is caused by the fact that some members of the Committee, namely the United States³ and the United Kingdom,⁴ are in favour of a separate approach to the prohibition of chemical and bacteriological weapons, and in favour of elaborating at first an agreement dealing with biological weapons only. As regards the prohibition of chemical agents of warfare, they propose postponing the solution of this question indefinitely.

8. The Soviet delegation has repeatedly explained the fallacy and the danger of such an approach to the solution of the problem under consideration and has advanced arguments of a political, practical, scientific and military nature. We have pointed out that attempts to solve separately the problem of the prohibition of chemical and bacteriological weapons reflect in fact the desire to leave one type of those weapons, namely chemical agents of warfare outside the scope of the prohibition.

9. We are satisfied that many delegations share the point of view that chemical and bacteriological weapons should be prohibited together. The representative of Japan, Mr. Abe, in his statement on 10 March, said that "with regard to the scope of

² *Documents on Disarmament*, 1969, pp. 764-765.

³ *Ante*, pp. 9-11, 100-106.

⁴ *Ante*, p. 38.

weapons to be prohibited, both chemical and biological weapons should be considered at the same time".⁵ Speaking in the Committee, the representative of Ethiopia, Mr. Zelleke, after having expressed himself in favour of the further strengthening of the Geneva Protocol of 1925, emphasized that so long as the prohibition of the production and stockpiling of chemical and bacteriological weapons follow the procedure of the Protocol, "chemical and biological weapons will remain inseparable."⁶ The representatives of India, the United Arab Republic, Pakistan and other countries have also expressed the view that it is necessary to take that approach to the prohibition of chemical and bacteriological warfare.

10. The delegation of the Soviet Union would like to emphasize once again that it is our firm conviction that it is necessary to prohibit the development, production and stockpiling of chemical and bacteriological weapons at the same time, within the framework of a single agreement, and that only such an approach will ensure the rapid and effective elimination of chemical and bacteriological agents of warfare from the life of the human community.

11. The delegations of the United States and the United Kingdom, with the support of some other delegations of Western countries, have developed the opposite concept and put forward arguments in favour of prohibiting biological weapons immediately, by means of a separate agreement, and have suggested that the prohibition of chemical weapons should be postponed to a later stage and form the subject of another agreement. The main argument in favour of such a solution to the problem advanced by the delegation of the United States and the United Kingdom is that biological agents of warfare, unlike chemical agents, have not yet been used on a large scale in war, that biological weapons are more dangerous than chemical weapons and that their use is highly problematical because from the military point of view it would be inexpedient in practice. The delegations of the United States and the United Kingdom argue that biological weapons are strategic weapons whereas chemical weapons are tactical ones, and therefore it is necessary—so the argument runs—to deal first with the prohibition of biological weapons. Finally, the prohibition of the production of chemical weapons, as the United States representative pointed out on 17 March, requires special forms of control different from those which could be used in respect of biological weapons.⁷

12. We should like to stress that the argument in favour of the prohibition of chemical weapons after the prohibition of biological weapons and its formalization in a separate agreement because biological weapons have not yet been used in war whereas

⁵ CCD/PV. 456, p. 28.

⁶ CCD/PV. 459, p. 9.

⁷ *Ante*, pp. 103-106.

chemical warfare is already known to mankind, is devoid of logic. It would be more appropriate in these circumstances to speak of the need for the urgent prohibition of both chemical and biological weapons, since the consequences of their use in war are well known and since chemical agents, as becomes apparent also from the statement of the United States delegation, are regarded by a number of countries as being an important means of warfare suitable for practical use. It is no secret that certain types of chemical agents are being used for military purposes today, despite the fact that this constitutes a manifest violation of the standards of international law established by the Geneva Protocol of 1925 and has been rightly condemned throughout the world.

13. We share the view expressed by the representative of India, Ambassador Husain, who said:

... we cannot accept the view that, because chemical weapons have on certain occasions been used in warfare and a number of countries have a chemical-warfare capability or are conducting research in this field, and of those countries some may wish to maintain chemical-weapons programmes to discourage the use against them of chemical warfare and to provide a retaliatory capability if deterrence fails—so the argument runs—we should confine our efforts to a ban on bacteriological (biological) weapons only.⁸

14. The argument advanced by the United States and the United Kingdom that biological weapons are more dangerous than chemical weapons and that therefore their development, production and stockpiling should be prohibited separately and prior to the prohibition of the development, production and stockpiling of chemical weapons is, to our mind, equally unconvincing. The wars of our century have most clearly shown the great danger of chemical weapons which have already been used on a large scale and whose use in the First World War resulted in over 1 million casualties, of which over 100,000 were fatal. However, the point is not to contrast one type of weapon of mass destruction with the other but to prohibit both these means of warfare. In this connexion we should like to point out that the report of the Secretary-General of the United Nations on chemical and bacteriological weapons⁹ and that of a WHO group of consultants, *Health Aspects of Chemical and Biological Weapons*, contain a large number of impressive data indicating the great lethal power of both bacteriological (biological) and chemical weapons. The position of the Soviet Union is—and in this respect we share the opinion of the Secretary-General of the United Nations and of outstanding experts known throughout the world, approved by resolutions of the twenty-fourth session of the General Assembly¹⁰—that both of these means of warfare are extremely dangerous, and we consider that they must be prohibited together since both are weapons of mass destruction aimed at the destruction of all living beings.

⁸ CCD/PV. 457, p. 13.

⁹ *Documents on Disarmament*, 1969, pp. 264-298.

¹⁰ *Ibid.*, pp. 716-719.

15. As an argument in favour of a separate solution of the question of the prohibition of chemical and bacteriological weapons the United States side has also advanced the thesis that it is necessary to have special forms of control over the prohibition of the development, production and stockpiling of chemical weapons, different from the forms of control over the prohibition of biological weapons. We do not consider this argument convincing. When it comes to the prohibition of the development, production and stockpiling of chemical and bacteriological weapons whose production is directly linked with the peaceful production of chemical substances and bacteriological products, for both these types of weapons it is impossible to establish any international verification in the form of control posts and on-site inspections. In its intervention on 3 March the Soviet delegation has already shown how it would be possible to ensure the implementation of an agreement on the complete prohibition of chemical and bacteriological weapons.¹¹

16. Nor is the United States argument well founded that it is a matter of first priority to prohibit biological weapons in view of the fact that they are allegedly strategic whereas chemical weapons are tactical. Thus in numerous international documents, including resolutions of the United Nations, nuclear, chemical and bacteriological (biological) weapons have already been treated as weapons of mass destruction. Moreover, a distinction has never been made between biological weapons as strategic weapons and chemical weapons as tactical weapons. The designation of chemical means of warfare as tactical weapons would objectively lead to diminishing the importance of those types of weapons as weapons of mass destruction. Their destructive effects and the scale of their use could be as terrifying as those of biological weapons. That is precisely why chemical weapons have always been treated as one of the varieties of weapons of mass destruction which, like nuclear and biological weapons, pose a threat to the very existence of whole countries and nations.

17. In the course of the discussion a number of delegations have tried to find a compromise solution of the problem of the complete prohibition of chemical and bacteriological weapons which in their view would make it possible to overcome the existing differences in the approach to the solution of this problem. The idea has been put forward that it might be possible to work out two or more parallel agreements which could be considered simultaneously and together might cover the entire problem of the prohibition of chemical and bacteriological weapons. This suggestion gives rise to very serious and strong objections on our part, above all because of the reasons for which we insist on the need to solve the problem of the prohibition of chemical and bacteriological weapons within the framework of a

¹¹ *Anie*, pp. 71-78.

single agreement. Furthermore, such a way of solving the problem appears very dangerous from the point of view of the possible consequences of a legal nature. It is easy to imagine, for instance, a situation in which some particular country or countries would ratify only one of the several agreements suggested. In that case the problem of the complete prohibition of chemical and bacteriological weapons would remain unresolved. A situation would be brought about in which one type of weapon—that is, bacteriological (biological)—would be prohibited while the other—the chemical weapon—would escape the ban. In that case it would, as it were, get the green light for its development, production and stockpiling, as well as for its use. Yet it is precisely our task to prevent and preclude the creation of such a situation. There are no grounds whatsoever for seeking to conclude two or more separate agreements on the prohibition of types of weapons so close to each other. Such a ban should be achieved by working out a single treaty document based on the concrete and very realistic proposals contained in the draft convention submitted by the nine socialist countries to the General Assembly of the United Nations.¹²

18. One of the specific considerations regarding possible ways of solving the problem of the definitive prohibition of chemical and bacteriological weapons was put forward in this Committee by the representative of Sweden, Mrs. Myrdal. Having analysed various aspects of the prohibition of the development, production and stockpiling of chemical and bacteriological agents of warfare, she drew the conclusion that “it seems possible to deal with them together to a considerable extent”.¹³ At the same time, referring to the fact that there exists a certain group of chemical agents which are widely used to meet peaceful requirements but can also be used as weapons, the representative of Sweden expressed the view that the problem of the prohibition of their production for military purposes: “might be dealt with either in one comprehensive treaty with specified exemptions or in a separate treaty or protocol, where the restraining conditions could then be spelled out in more detail.”¹⁴

19. The Soviet delegation considers that the questions to which the representative of Sweden, Mrs. Myrdal, has called our attention are solved sufficiently effectively in the draft convention proposed by the delegations of the socialist countries, particularly in articles 4 and 5 which provide for the adoption by the States parties to the convention of legislative measures relating to the prohibition of the production in those countries of chemical and bacteriological weapons and for the international responsibility of the national governments concerned for compliance with that prohibition. Article 3 of the draft treaty, which prohibits assisting

¹² *Documents on Disarmament, 1969*, pp. 455-457.

¹³ *Ante*, p. 90.

¹⁴ *Ante*, p. 88.

other countries to acquire chemical and bacteriological weapons, in conjunction with articles 4 and 5 will ensure the solution of the problem of international trade in that type of chemical agents, which was also mentioned by Mrs. Myrdal.

20. In any case, the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons provided for in the draft convention proposed by the socialist countries relates only to weapons and is in no way intended to hinder the development of the chemical and biological industry for peaceful purposes.

21. In previous statements the Soviet delegation has commented in detail on the contents of the draft convention of the socialist States on the prohibition of the development, production and stockpiling of chemical and bacteriological weapons and on their destruction. In elaborating the draft convention the authors based themselves on the fact—and this is stated in the preamble of the document—that the guarantee of strict and scrupulous implementation of the existing prohibition of their use, as mentioned in the 1925 Geneva Protocol, remains an important aim of States in the field of chemical and bacteriological weapons. The preamble to the convention, while reaffirming the adherence of its parties to the purposes and principles of the Geneva Protocol, calls on all States to comply strictly with it. The draft convention also refers to General Assembly resolutions 2162 B (XXI)¹⁵ and 2454 A (XXIII)¹⁶ which condemned all actions contrary to the Geneva Protocol.

22. Today it is generally recognized that the 1925 Geneva Protocol is a most important and authoritative international document prohibiting the use of chemical and bacteriological weapons. The significance of the Protocol lies in the fact that it confirmed, as stated in its text, “to the end that this prohibition shall be universally accepted as a part of International Law . . .”, those principles which mankind had established long before that document came into existence. That Protocol has stood the test of time. It has proved itself a viable and important international agreement. In evaluating the 1925 Geneva Protocol, the representative of Hungary, Mr. Kömives, pointed out quite rightly that it “has acquired historical significance as an international instrument prohibiting the use of all chemical and bacteriological agents in war”.¹⁷ In its resolution 2603 A (XXIV) the General Assembly once again confirmed its evaluation of the Geneva Protocol as an agreement which embodies the prohibition of all chemical and bacteriological means of warfare, without exception, as well as a rule of international law.¹⁸ Following the appeal of the United

¹⁵ *Documents on Disarmament*, 1966, pp. 798-799.

¹⁶ *Ibid.*, 1968, pp. 793-795.

¹⁷ CCD/PV. 456, p. 10.

¹⁸ *Documents on Disarmament*, 1969, pp. 716-717.

Nations General Assembly, a large number of States have acceded to that agreement. It must be noted, however, that even today not all States, among which are some militarily important States, have become parties to the Protocol.

23. We regard as unjustified, even dangerous, the endeavour of some delegations to give an arbitrary interpretation to the prohibition in the Geneva Protocol of 1925—as was done, for example, on 19 February in the statement of the representative of the United Kingdom, Lord Chalfont, who asserted that such chemical substances as CS gas, for instance remained outside the prohibition.¹⁹ A similar tendency is contained in the statement made by the Canadian delegation on 24 March,²⁰ from which it appears that from the point of view of Canada the use or the prohibition of the use of tear gas and other similar agents in war is a problem which has not yet been solved, and that therefore the use of those agents is permissible. In our view such a problem does not exist. The use in war of all chemical and bacteriological agents without exception is quite definitely prohibited by the Geneva Protocol of 1925.

24. The Soviet delegation considers that any attempt to legalize the use of tear gas on the battlefield for so-called “humanitarian” reasons, which is what the representatives of certain States, including some in our Committee, are trying to lead up to, should be rejected in the most resolute manner. The report of the United Nations Secretary-General gives a clear and unambiguous reply in this regard:

It is true that a considerable effort has also been made to develop chemical agents which have as their purpose not to kill but to reduce a man's capacity to fight. Such agents are used by civil authorities of a number of countries in order to suppress disorders and to control riots, but when used in warfare they would inevitably be employed as an adjunct to other forms of attack, and their over-all effect might be lethal.²¹

25. Those are our considerations in connexion with the discussion in the Committee on the question of the prohibition of chemical and bacteriological (biological) weapons. In conclusion we should like to express the hope that the Committee on Disarmament will overcome the existing difficulties and complications and will achieve positive results in regard to the complete elimination from military arsenals of a dangerous group of weapons of mass destruction—chemical and bacteriological agents of warfare. Our success along this path would be an important contribution to the strengthening of peace throughout the world. The great achievements of our time in the field of chemistry and biology must be placed at the service of mankind and not threaten its existence. The Soviet delegation is prepared, as always, to do all it can to facilitate the rapid achievement of this aim.

¹⁹ *Ante*, pp. 38-39.

²⁰ *Ante*, p. 113.

²¹ *Documents on Disarmament*, 1969, p. 268.

**Senate Resolution 211 on Strategic Arms
Limitations, April 9, 1970^{2 2}**

Expressing the sense of the Senate on mutual suspension of further deployment of offensive and defensive nuclear strategic weapons systems by the Union of Soviet Socialist Republics and by the United States.

Whereas the competition to develop and deploy strategic weapons has reached a new and dangerous phase, which threatens to frustrate attempts at negotiating significant arms limitations and to weaken the stability of nuclear deterrence as a barrier to war;

Whereas development of multiple independently targetable reentry vehicles by both the United States and the Soviet Union represents a fundamental and radical challenge to such stability;

Whereas the possibility of agreed controls over strategic forces appears likely to diminish greatly if testing and deployment of multiple independently targetable reentry vehicles proceed;

Whereas a suspension of flight tests of multiple independently targetable reentry vehicles promises to forestall deployment of such provocative weapons; and

Whereas a suspension of such tests could contribute substantially to the success of the strategic arms limitation talks between the United States and the Soviet Union: Now, therefore, be it

Resolved, That it is the sense of the Senate that prompt negotiations between the Governments of the United States of America and of the Union of Soviet Socialist Republics to seek agreed limitations of both offensive and defensive strategic weapons should be urgently pursued; and

Resolved further, That the President should propose to the Government of the Union of Soviet Socialist Republics an immediate suspension by the United States and by the Union of Soviet Socialist Republics of the further deployment of all offensive and defensive nuclear strategic weapons systems, subject to national verification or such other measures of observation and inspection as may be appropriate.

Statement by the Swedish Representative (Myrdal) to the Conference of the Committee on Disarmament: Chemical and Biological Weapons, April 9, 1970¹

The debate in our Committee so far this year on the vital question of attaining an international ban that goes beyond the existing ban in the Geneva Protocol on the use of biological and

^{2 2} S. Res. 211, 91st Cong., 2d sess. The resolution was approved by a vote of 73 to 6, with two Senators paired against it.

¹ CCD/PV. 463, pp. 5-13.

chemical means of warfare² and extends to prohibitions in regard to their production, stockpiling, etc. has been a dynamic one. We are in the course of obtaining important clarifications as to several of the issues involved, technically complicated and politically vexing as they are. Several delegations have offered concrete suggestions for solutions. I believe we should push this process of clarification further before we settle down to try to agree on precise legal language. With the aim of continuing those "mapping expeditions", as I have ventured to call the preparatory work,³ I intend today to dwell particularly on the thorny issue of verification.

3. Let me say first that we must, as always when exploring possible methods of verifying compliance with any measures of disarmament, avoid the risk of setting such standards of perfection that the proposal is effectively killed the moment it is put forward. The majority of speakers have spoken in general terms of the need for verification. But we must surely beware of stating too categorically that verification is indispensable lest progress be deadlocked. We have authoritative statements to prove that it is possible to forgo control. I am thinking of the unilateral pledges by some nations about refraining from production of certain chemical and biological weapons. In the case of the United States this refers to a total prohibition of production and stockpiling, together with the final elimination of all biological agents and one chemical type of agent—namely toxins—without referring to any need for reciprocity or verification. In the case of Canada we have an equally unconditional declaration of non-possession and also the renunciation for the future of the development, production, acquisition or stockpiling of all biological weapons and all chemical ones, with a reservation concerning just one of the latter, namely riot-control agents, the position of which is left unclarified.⁴ No request for reciprocity or for a system of verification is made in this context. I should add that only the formal withdrawal of the reservation about retaliation which Canada made in regard to the use of these weapons when ratifying the Geneva Protocol is made contingent upon the attainment of "effective and verifiable agreements".⁵ More countries may be expected to be ready for unilateral, unconditional renunciation of chemical and biological means of warfare without raising the question of verification. It would of course be particularly welcomed if the action taken by the United States were emulated by the other major Powers.

4. While it has thus been demonstrated that a wide door is kept promisingly open for considerable progress by national decisions to surrender unconditionally the right to possess chemical and

² *Documents on Disarmament*, 1969, pp. 764-765.

³ CCD/PV. 450, pp. 17-18.

⁴ *Ibid.*, p. 113.

⁵ *Ibid.*

biological weapons, it nevertheless remains the task of this Committee to elaborate internationally-binding multilateral agreements, preferably universal in scope and covering all agents without exception. It is within that framework that we have to study to what degree verification is essential and in what forms it may be realistically implemented.

5. Again, a warning note must be struck against over-reliance on perfectibility. Or, to quote the representative of Yugoslavia, Mr. Vratuša:

If we compare the risk involved in imperfect control with the risk involved in the continuation of the present danger of chemical and bacteriological (biological) weapons, the truth will be confirmed once again that the former danger is far less than the latter.⁶

Verification can never be and need not be 100 per cent effective. What is required is a sufficiently high probability of detection to provide deterrence on one side and reassurance on the other. One might discuss, as has been done in the SIPRI study on verification,⁷ a 50 per cent probability of detection as constituting a sufficiently high barrier of deterrence against cheating. Even this figure might, however, be too high to be realistic in the sense that it would call for more intensive monitoring than is likely to be acceptable to all prospective adherents to an agreement. One might discuss the figure of 30 per cent or even 10 per cent as constituting a sufficient barrier.

6. My colleagues may remember that in the discussion we had earlier in this Committee on the problem of verification in connexion with the comprehensive test ban the Swedish delegation offered some suggestions for a solution based on a statistical method of evaluation and applying modern decision theories. I refer particularly to the working paper we put forward in July 1967.⁸ For the calculations referred to in that paper we placed the disclosure probability level at 10 per cent, meaning that a prospective violator would have to face one chance in ten of being exposed. This level, we estimated, would be high enough to deter States from violations in view of the considerable political costs involved in a disclosure. That figure was later challenged, particularly by the United States delegation, as being too low.⁹ I want today, however, to draw attention, not so much to any specific percentage figure as to the scientific logic we then followed in order to show that the basic problem of obtaining reasonable assurance coupled with reliable deterrence is a common one which we meet whenever we try to draw up a disarmament or an arms-control measure. This is so because the essential feature is always a substantive obligation of a negative character; in the case

⁶ CCD/PV. 456, p. 17.

⁷ *The Problem of Chemical and Biological Warfare* (prov. ed., Stockholm, 1970), pt. IV, pp. 55-56.

⁸ *Documents on Disarmament, 1967*, pp. 305-309.

⁹ *Ibid.*, pp. 322 ff.

we are now discussing an obligation not to develop, manufacture or stockpile chemical and biological means of warfare.

7. The main objective of any verification procedure is that it should generate mutual trust. Whenever dealing with matters of verification, the Swedish delegation has argued for the necessity of relying on two basic principles intended to create that mutual trust and make it grow, namely (a) the principle of open information and (b) the principle of internationalization.

8. A lead in the same direction, more specifically as to the value of openness, has been given by President Nixon when announcing the spectacular renunciatory action taken last autumn. In regard to biological weapons he declared in his statement of 25 November 1969 that the United States would confine its research in this field to immunization and safety measures. It was also said that the military research laboratories would be transferred to civilian agencies concerned with research in such important peaceful fields as immunization and protection against diseases. Further, disposal of existing stocks of bacteriological weapons was promised.¹⁰ In February of this year similar action was taken in regard to toxins, mostly regarded as chemical warfare agents.¹¹ This series of measures thus announced by the United States would seem to ensure full openness for the future as to research, development, production and stockpiling in that country of biological means of warfare and of toxins.

9. The representative of Yugoslavia, Mr. Vratuša, made the suggestion in his speech on 10 March to which I have already referred that all States should place their institutions engaged in chemical and biological weapons research, development and production under civilian administration, for instance by their respective ministries of health.

10. The initiative to this effect taken in the United States and similar initiatives which have been or may be taken in other countries will become of immense importance for increasing the quality of life on our planet. Microbiology is a fast-growing part of the "life" sciences which help us to conquer dreaded diseases. All such efforts are particularly important for that majority of inhabitants of the globe who live in so-called developing countries. The continuing fight against disease, malnutrition and hunger, in which the scientists concerned with microbiology take a leading part, concerns those countries in a most direct way. If seen in this light, our efforts to stop all development for military uses of the biological agents take on their full meaning. And this is also true of many chemical agents which combat attacks by mould, insects and other parasites on our crops and other foodstuffs and promote development of new means of nutrition such as proteins and vitamins. The possibilities of improving life would become greatly

¹⁰ *Ibid.*, 1969, pp. 592-593.

¹¹ *Ante*, pp. 5-6.

enhanced if we refrained from producing all these agents for the purpose of the death and destruction of man.

11. If, as an exercise in formulating possible solutions, the Swedish delegation were now to attempt to sketch an international verification system for the prohibition of chemical and biological weapons production etc., we would place the requirement of open information as the first and fundamental element. But let me add immediately that we recognize the political difficulty of reporting on weapons, that is on chemical and biological agents which have become "weaponized", ready as munitions. On the other hand, we see great positive value in open reporting on the agents themselves.

12. This distinction becomes of paramount importance when we have to decide on the legal formulae for our prospective prohibitory regulations. I hope my colleagues will agree with me that we need a kind of twofold approach, as in the non-proliferation Treaty where article II prohibits the acquisition of "nuclear weapons" while article III on safeguards focuses upon "source or special fissionable material".¹² The principal article in a treaty on chemical and biological weapons likewise would probably have to prohibit the production and possession of weapons themselves. On the other hand, subsidiary regulations would have to be introduced dealing with the production etc. of agents, possibly in some language such as "agents which constitute possible components of chemical and biological weapons", but also with the important proviso in some such terms as "except for specified peaceful purposes"—and I would like to emphasize "specified peaceful" purposes. Such a pattern would make it possible to take into consideration the distinction I advocated in my last intervention on this subject on 12 March between what I called unconditional and conditional prohibition, the latter intended to cover the situation in regard to substances having considerable peaceful uses.¹³ The open reporting which we are suggesting as the basic element of verification would also be concerned with the agents rather than with weapons.

13. In regard to biological agents a requirement for open information could immediately be made all-inclusive. With research and development as well as production limited to laboratory requirements for protective purposes, all need for secrecy would seem to disappear. On the contrary, unrestricted publication of scientific and technical work aimed at the international community would open the benefits to the whole world, as I have just indicated. The fight against disease is of universal interest. In particular, countries more developed in biological science and technology would be given better opportunity for sharing their results with countries lacking comparable research resources.

¹² *Documents on Disarmament, 1968*, pp. 461-465.

¹³ CCD/PV. 457, pp. 19 ff.

14. A similar course of action could be followed in large part in regard to chemical agents. A number of these have no civilian application, including all toxins, most nerve agents such as tabun, sarin, soman; all blister agents, such as sulphur and nitrogen mustards; and psychochemicals such as LSD. In addition, however, certain other chemical agents have a wide use for both military and civilian production. In this latter case secrecy may be a prerequisite for profitable commercial production. The form and content of the information would obviously have to be different in these cases.

15. I think the advice of experts would be needed on how such reporting as we may agree upon should be detailed for different agents in both the chemical and the biological fields, that is in regard to transmitting publications on scientific research and to government notifications concerning the flow of chemical and biological agents from production to different uses. One might possibly apply some relevant indicators, such as the number of personnel engaged in certain activities, the figures for sales, or other measurable factors. Several delegations have already mentioned the need for experts to come together to present us in the next few months with detailed information on various technical aspects of the problems of verification. I would like once again to add the voice of the Swedish delegation to the support of these suggestions.

16. I just said that "open information" seems to us to be one of the pillars of a verification system, the second being "internationalization". What we feel to be strictly necessary is an obligatory international reporting system applying to both qualitative and quantitative factors, that is both as to new developments and as to bulk of production. To include in the text of a treaty an obligation for governments to report continuously or periodically would seem to be essential in connexion with the prohibition, as envisaged, of the acquisition of chemical and biological means of warfare. The detailed procedures, particularly as to how to deal with "agents produced for specified peaceful purposes", might be laid down in an accompanying protocol annexed to the treaty, both because various agents have to be treated differently—the demarcation line, however, not lying entirely between chemical and biological agents as separate categories—and because expectations of technological changes call for a type of agreement which could be amended more rapidly and easily than the fundamental rules of the treaty itself.

17. A definite hurdle so far has been the selection of the proper international organ which should be given the duty of receiving, storing and preferably analysing and distributing the information contained in the reports. For the biological agents and for some chemical agents the World Health Organization may seem to be a natural choice as it already has the essential technical know-how. For some other chemical agents, particularly those going through industrial production for civilian uses, it is more

difficult to indicate a focal point in the international system of agencies and organs. The Food and Agriculture Organization may be one possibility. In the final instance, when the prohibition of chemical and biological means of warfare has become part and parcel of general and complete disarmament, there will of course be available a specialized disarmament agency, the international disarmament organization provided for in the general draft treaties of 1962.¹⁴ But even before that there will be an obvious need to enlist the co-operation of scientists specialized in the various fields concerned, and possibly also their international organizations. That, again, belongs to the questions calling for further penetration.

18. The willingness to report, openly and internationally, on national activities related to development and production of chemical and biological agents seems to us to be the indispensable first requirement in a verification system. A second part might be an agreed complaints procedure, containing further possibilities of obtaining assurances that circumvention was not taking place. The question if, and in what form, that should in turn be followed by a procedure for applying sanctions I shall deal with a little later. That is usually part of a different article in similar treaties, most often in the form of a right of withdrawal. The complaints procedure, on the other hand, should definitely be part of the verification system. We have had occasion to amplify that view in considerable—and we hope constructive—detail in another context, under the label “verification by challenge”. I refer to the working paper put forward by my delegation on 1 April 1969 outlining possible provisions of a treaty banning underground nuclear weapon tests.¹⁵

19. The United Kingdom draft treaty on biological warfare presents, albeit in an abridged form, just such a method of clarifying suspicious events or activities. The procedure suggested in its article III, paragraph 1, appears to us in its general outline to be a valuable one. The United Kingdom draft does not provide for queries directly from one party to another party. That may be based on the argument that the right to raise such queries always exists. We considered it valuable however—in the different context mentioned—that there should be established an obligation on the other party “to co-operate in good faith for the clarification of all events pertaining to the subject matter of [the] Treaty”.¹⁶

20. Whether it is preferable, as the United Kingdom draft suggests, instead to turn immediately to an international organ depends, of course, on (a) whether such an organ is entrusted with a specified function in relation to the treaty and (b) whether that organ—or perhaps the Secretary-General of the United Nations—

¹⁴ *Documents on Disarmament, 1965*, pp. 77-102, 111-140.

¹⁵ *Ibid.*, 1969, pp. 140-142.

¹⁶ *Ibid.*, pp. 431 ff.

has at its disposal the experts needed for investigating complaints. Anyway, even if a shortened procedure should be prescribed, we would favour the complaints being lodged with the Secretary-General rather than directly with the Security Council, and the automatic procedure of investigating complaints being made applicable to suspected cases of breach of the prohibitions on production, stockpiling, etc., as to our minds the prospective treaty should not concentrate on complaints about use of chemical and biological weapons.

21. It would seem to us preferable that lodging a complaint with the Security Council should be treated as a separate possibility, to be utilized at the discretion of the complaining party after the results of the investigation by experts had been submitted: this in order not to make complaints "political" and perhaps incriminating at an early stage and also in order to separate the functions of investigation and political judgement. The Swedish delegation, *prima vista*, prefers a procedure in several stages which gradually, and with increasing seriousness, would seek clarification and thereby as far as possible help to reduce tensions and avoid denunciations. Again we are reminded how much more flexibly, and at the same time adequately, complaints procedures would be handled if we had arrived at such a stage of general and complete disarmament that there was an international disarmament organization in operation. Be that as it may, we can see that there might be a need for a Security Council function of judging and, in cases warranting it, deciding on sanctions.

22. Other delegations may wish to suggest other methods of verification than the ones I have just outlined, particularly if they have in mind other targets for control. I have not wanted to exclude any verification methods on which general agreement could be reached, but in this statement I have concentrated on those elements of a verification system which would seem to us to be primarily necessary for incorporation in the legal instrument which is to constitute an agreed ban on production, etc., of chemical and biological weapons.

23. Obviously there are available many other modalities for obtaining security. They include aerial surveillance of field testing, information on training, analysis of budgetary provisions, inspection teams, etc. It has seemed to my delegation that such control methods, which are already to some extent applied by national agencies, would with a growing improvement in the climate of trust come to be voluntarily used more and more, first bilaterally and then, perhaps, also regionally. While such a development should be encouraged it would seem to us premature to prescribe immediately a fully-fledged system of any of these methods for compulsory use by an international organ. That would, *inter alia*, involve considerable costs in terms of financial resources, in terms of experts and in terms of political discomfort. It may well come to pass that as we in the Committee on Disarmament continue to

study the possibilities of verification some of those methods may have proved their diagnostic importance, their practical feasibility and their political acceptability, so that they can be included in our general agreement. The main thing at this juncture must be to proceed jointly and in confident co-operation with a relentless search for solutions acceptable to all delegations.

Tripartite Working Paper Submitted to the Conference of the Committee on Disarmament in Connection With the Soviet Draft Convention on the Prohibition of the Development, Production, and Stockpiling of Chemical and Bacteriological (Biological) Weapons and on the Destruction of Such Weapons, April 14, 1970¹

A new article is to be included in the text of the Convention reading:

1. Each State Party to this Convention which finds that actions of any other State Party constitute a breach of the obligations assumed under articles I and II of the Convention, may lodge a complaint with the Security Council of the United Nations. Such a complaint should include all possible evidence confirming its validity as well as a request for its consideration by the Security Council. The Security Council shall inform the States Parties to this Convention of the result of the investigation.
2. Each State Party to this Convention undertakes to cooperate in carrying out any investigations which the Security Council may undertake on the basis of the complaint received by the Council.

II

Draft Security Council Resolution

The Security Council

Highly appreciating the desire of a large number of States to subscribe to the Convention on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and on the destruction of such weapons,

Bearing in mind that under article . . . of the Convention the States Parties shall have the right to lodge complaints with the Security Council together with a request for their consideration by the Council,

Recognizing the need for appropriate measures with a view to ensuring the observance of the obligations contained in the Convention,

Taking into consideration the desire of the States Parties to cooperate with the Security Council with a view to ensuring the strict observance of the obligations contained in the Convention,

1. *Declares* its readiness:
 - to give urgent consideration to any complaints lodged under article . . . of the Convention,
 - to take all necessary measures for the investigation of a complaint,
 - to inform the States Parties to the Convention of the result of the investigation;
2. *Calls upon* all States Parties to the Convention to cooperate with a view to implementing the provisions of this resolution.

¹CCD/285, Apr. 14, 1970 and Corr. 1, Apr. 15, 1970. The working paper was submitted by Hungary, Mongolia, and Poland. For the draft convention, see *Documents on Disarmament*, 1969, pp. 455-457.

Statement by the Polish Deputy Foreign Minister (Winiewicz) to the Conference of the Committee on Disarmament: Chemical and Biological Weapons, April 14, 1970¹

First I want to express my cordial thanks for the words of welcome which you, Mr. Chairman, have addressed to me, words which I probably do not deserve although on the instructions of my Government I have to follow the work of this Committee. It seems that in my capacity as Deputy Foreign Minister I have been too lazy to come sufficiently often to this Conference. May I be excused on the simple understanding that the work of the Committee is neither new nor strange to me and that I follow its work with the greatest attention and greet any progress with the greatest appreciation.

3. If you will permit me, Mr. Chairman, before I start my speech on the working paper which has been distributed in the name of my delegation, among others, I should like to address a few words to the United States delegation to convey our best wishes that the difficulties which the crew of Apollo 13 is meeting may be overcome and that the mission may be if not a complete success at least a partial one. Best wishes go to those now struggling in the cosmos for the success of the mission they have undertaken.

4. The main purpose of my statement is the introduction of the working paper presented by the delegations of Hungary, Mongolia and Poland, and already distributed to you, concerning the safeguard clause of the draft convention on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and on the destruction of such weapons.² I would recall that this draft convention was submitted to the General Assembly of the United Nations by nine socialist countries in document A/7655.³ Before commenting on the details of our working paper I cannot resist dwelling for a moment on some general problems directly and indirectly connected with chemical and bacteriological warfare.

5. The main problem which has occupied this Committee's attention so far has been whether to proceed with the consideration of chemical and bacteriological weapons jointly or to deal with the bacteriological category of weapons separately. My Government is firmly persuaded that the problem before us is neither procedural nor technical: it remains a problem of a political and a fundamental character.

6. Until 1964 no scientific organization or political agency had advocated any separate consideration of chemical or bacteriological (biological) means of warfare. One cannot fail to notice that a

¹ CCD/PV. 464, pp. 5-16.

² *Supra*.

³ *Documents on Disarmament, 1969*, pp. 455-457.

discussion restricted to biological warfare started only when substantiated accusations of the use of chemical weapons in the Viet Nam conflict were made public. Such use of a variety of chemical agents has led to a number of political actions condemning, in severe terms, that type of warfare. In that connexion, articles published by the *London Observer* on 26 May, 2 June and 16 June 1968 disclosed facts concerning research on chemical and biological weapons which was being conducted at Porton Down in the United Kingdom. A further series of articles evoked the indignant reaction of public opinion in the United Kingdom against the use of gas in Viet Nam, particularly when it became obvious that such gas was being produced in the United States under a United Kingdom licence.

7. That new situation gave rise to an urgent and one might even say universal demand to strengthen the Geneva Protocol of 1925⁴ and to search for ways and means of preventing activities of the type undertaken in Viet Nam. In addition to the existing rules of war as contained in the Geneva Protocol, proposals falling within the scope of disarmament have been advanced by large groups of scientists and by political organizations in different regions of the world, the United States and the United Kingdom not excluded.

8. Motivated by the same spirit, the Hungarian delegation submitted to the twenty-first session of the United Nations General Assembly a draft resolution whereby the Assembly, guided by the principles of the United Nations Charter and of contemporary international law, considering that weapons of mass destruction constituted a danger to all mankind and recalling that the Geneva Protocol of 17 June 1925 on the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare had been signed and adopted and was recognized by many States, (i) called for strict and absolute compliance by all States with the principles and norms established by the Protocol, which prohibits the use of chemical and bacteriological weapons; (ii) condemned all actions aimed at the use of chemical and bacteriological weapons; and (iii) declared that the use of those weapons for the purpose of destroying human beings and the means of their existence constituted an international crime.⁵

9. As we all know, one of the major Powers, not a party to the Geneva Protocol, brought to bear the full weight of its influence in order to restrict the interpretation of the Geneva Protocol and in order to eliminate the condemnatory clauses of the Hungarian draft resolution. That line of action was in effect the beginning of a drive which aimed objectively at weakening the almost universally recognized comprehensive interpretation of the Geneva

⁴ *Ibid.*, pp. 764-765.

⁵ *Ibid.*, 1966, pp. 694-695.

Protocol of 1925. The Maltese proposal submitted to the twenty-second session of the General Assembly, calling for the revision and bringing up to date of the Protocol⁶ and the United Kingdom proposal of 1968 advocating the separate consideration of biological means of warfare⁷ are momentous stepping stones leading in what we believe to be the wrong direction. The United Kingdom representative thought that as far as chemical warfare was concerned we should remain satisfied with the Geneva Protocol, and as support for further action in this area he suggested that the Secretary-General should be requested to prepare a report on the nature and possible effects exclusively of chemical weapons and on the implications of their use.⁸ Thus after more than forty years of a remarkable record in the defence of the comprehensive interpretation of the Geneva Protocol the United Kingdom Government took steps which indeed endangered the value and effectiveness of the Protocol.

10. Permit me also to recall that it was the Polish delegation that then suggested that the requested study should cover both chemical and bacteriological weapons,⁹ and we have not failed to note with satisfaction that every member of the Committee, including the delegation of the United Kingdom, has joined in support of the Polish proposal.

11. We now have the opportunity of studying and considering the Secretary-General's report which covers, from the technical and scientific points of view, all the various aspects of chemical and bacteriological (biological) weapons—their basic characteristics, potential toxicity, speed of action, duration of effects, and indeed all the unpredictable dangers that their use in war might bring to mankind.¹⁰ Everyone who has spoken on this subject in this Committee and at the United Nations General Assembly has evaluated the report as a good basis for fruitful discussions and for the elaboration of sound measures to eliminate effectively those weapons of mass annihilation.

12. We of Poland were especially appreciative of two main inferences of the report: viz. (a) that chemical and bacteriological (biological) weapons clearly belong to one and the same class of means of mass destruction and (b) that the universal elimination of those weapons could in no way weaken the security of any nation. These two conclusions are of particular import when viewed in the light of the argumentation advanced in favour of the United Kingdom draft convention dealing solely with biological weapons.¹¹ We note, not without satisfaction, that one of the major merits of the Secretary-General's report lies in its recogni-

⁶ *Ibid.*, 1967, pp. 625-626.

⁷ *Ibid.*, 1968, pp. 569-571.

⁸ *Ibid.*, pp. 537-538.

⁹ ENDC/PV. 385, pp. 22-23.

¹⁰ *Documents on Disarmament*, 1969, pp. 264-298.

¹¹ *Ibid.*, pp. 431 ff.

tion of the significance of the Geneva Protocol. When discussing the report, Poland has expressed its unequivocal endorsement of the recommendations of the Secretary-General on further action to be taken to deal with the threat posed by the existence of chemical and bacteriological weapons.

13. We are now able to benefit also from two additional and diligently documented expert studies. I have in mind the report of the WHO group of consultants¹² and the extremely timely and highly competent study of the Stockholm International Peace Research Institute¹³. Of course our mandate concerning problems of chemical and bacteriological (biological) warfare has been defined in General Assembly resolution 2603 A (XXIV),¹⁴ as to the scope and the proper interpretation of the Geneva Protocol, and in General Assembly resolution 2603 B (XXIV), in which the General Assembly requested the Committee on Disarmament to give urgent consideration to seeking and reaching agreement on prohibition and on other measures aimed at securing an effective and complete ban on those extremely dangerous means of warfare.¹⁵

14. Finally, permit me to state that of all the many international documents dealing with chemical and bacteriological (biological) weapons since the entry into force of the Geneva Protocol of 1925, whether emanating from intergovernmental agencies, political sources or scientific organizations, including the League of Nations and the United Nations, only one document, the draft convention submitted by the United Kingdom to the Conference of the Committee on Disarmament on 10 July 1969 tends to divide the issue generally recognized as indivisible, and indivisible it remains.¹⁶

15. I venture to admit frankly that I feel guilty of having abused the indulgence of this Committee by a prolonged analysis of the two different approaches to the question of chemical and bacteriological warfare. But I have endeavoured to demonstrate which of the two approaches is likely to produce the results requested from us by resolution 2603 A and B (XXIV). Either we concentrate our efforts to ban effectively and unconditionally all chemical and bacteriological (biological) means of warfare, thus contributing to disarmament, or we indirectly, by omission, justify the miscalculated and dangerous policy of the continued use of chemical means of warfare, whatever benevolent explanation the users of such weapons might give.

16. As always, my delegation has listened attentively to the views expressed here on this very question.

¹² World Health Organization, *Health Aspects of Chemical and Biological Weapons: Report of a WHO Group of Consultants* (Geneva, 1970).

¹³ *The Problem of Chemical and Biological Warfare* (prov. ed., Stockholm, 1970).

¹⁴ *Documents on Disarmament, 1969*, pp. 716-717.

¹⁵ *Ibid.*, pp. 717-719.

¹⁶ *Ibid.*, pp. 324 ff.

17. The representative of the United States, in his statement on 17 March, with his usual eloquence, all my colleagues have told me, demonstrated convincingly that in present circumstances biological means of warfare cannot be used as a practical method of conducting a war; they do not represent any retaliatory value since their destructive potential cannot be limited and in consequence they can affect the aggressor as well as the victim of aggression.¹⁷ My delegation finds no difficulty in agreeing with the view that because of their nature biological weapons are very unlikely to be used.

18. On the other hand, not only are we now facing the danger of chemical warfare but, as we all know, chemical methods are already being applied in an armed conflict taking place today. Therefore the obvious and logical conclusion is immediately to start negotiations which would lead to the elimination of chemical means of warfare in the first place, at the same time solving the problem of eliminating all biological means of warfare, a task which, it seems to be agreed, appears easier to achieve.

19. Some delegations have endeavoured to persuade us that chemical weapons are of a tactical character and therefore their use is limited to battlefield operations. Meanwhile Mr. Leonard in his statement of 17 March provided us with convincing evidence of the damage which might possibly be caused by an aircraft carrying an atomic, a biological or a chemical charge. This example constitutes a clear reminder that chemical means of warfare are used by the belligerent which has acquired air supremacy. Indeed, such was the case in Ethiopia and China in the thirties, and we are observing the same in Viet Nam today. The most repulsive element is that this is still going on, after the military have ascertained that there is not the slightest chance for the opposite side to retaliate. No less repugnant is the fact that chemical weapons have been used against peoples fighting for their national liberation, who do not usually possess the simplest means of defence and are deprived of the material capability usually, as we well know, at the disposal of the regular armies of highly developed countries. What importance could possibly be attached to whether we qualify this weapon as strategic or tactical? It remains an instrument of mass extermination. One can state without any doubt that there is no politically admissible or militarily justifiable reason which could support the preservation of bacteriological (biological) and chemical weapons in national armouries.

20. Several delegations, and mainly Lord Chalfont in his statement of 7 April,¹⁸ spoke at length on all the differences which exist between chemical and biological weapons. It would not, of course, be too difficult to prove, as has already been done by the delegations of the Soviet Union, Czechoslovakia and Bulgaria, that

¹⁷ *Ante*, pp. 102 ff.

¹⁸ CCD/PV. 462, pp. 9 ff.

those differences are emphasized simply to separate the consideration of issues of chemical and biological weapons. An equal or even greater number of arguments can be presented in order to stress the absolute sameness of those categories of weapons. One can at the same time demonstrate with equal success that there are differences in the production, methods of use and destructive effects of each and every kind of bacteriological weapon. Does this mean that a separate convention for each type of such weapons would be advisable?

21. It remains therefore to decide that the question of separate or joint consideration of chemical and biological weapons is dictated not by technical or procedural factors but by the specific political and military considerations of individual States. Mankind could not profit from such an approach, disarmament processes might be slowed down and the community of nations would suffer in the end.

22. My delegation wishes to express its appreciation to the leader of the United Kingdom delegation, Lord Chalfont, for having reiterated in his statement of 7 April 1970, which I have already mentioned, that the United Kingdom delegation remains "ready to fall in with the wish of the majority to discuss the prospects for progress on biological and chemical weapons together".¹⁹ Regrettably, the speaker weakened that statement by concluding that "it is better to have an agreement on biological weapons than no agreement at all".²⁰ The last phrase might indicate a lack of confidence in the possibilities of reaching a rapid understanding on a difficult matter. But our Committee has not been created to solve only easy problems; it has to tackle difficult and crucial disarmament problems, and particularly those ripe for solution. I submit that it is precisely the question of the elimination of bacteriological (biological) and chemical weapons that is ripe for conclusive decision.

23. We of Poland would not dare to assume that the statement of the United Kingdom delegate had the characteristics of an ultimatum because then the Committee's work might find itself at an impasse as a result of the uncompromising attitude of a small group of States. Let us exclude such a possibility and avoid a situation in which the self-righteousness of a minority might destroy a wise policy fully grasped by the majority. After hearing the statements of practically all the members of this Committee it has become obvious that the overwhelming majority definitely favour joint treatment of chemical and bacteriological means of warfare.

24. I shall now proceed to make a few comments on our working paper, which has just been distributed, and I will do this

¹⁹ *Ibid.*, pp. 5-6.

²⁰ *Ibid.*, p. 16.

in connexion with certain articles of the draft convention contained in document A/7655.²¹

25. The system of complaints embodied in our proposal now before you has been inspired to a large extent by the provisions on verification formulated in the United Kingdom draft convention dealing with biological warfare alone. By referring all problems having a direct impact on the security of nations to the Security Council we are making proper use of the only organ of the United Nations which has the power to enforce necessary decisions and is authorized to undertake such forms of investigation as are necessary and derive from the character of the complaint.

26. In the second paragraph of the proposed new article we state the obligation of every State party to the convention to co-operate in carrying out any investigations which might be decided upon by the Security Council. Should the Security Council decide, for example, on the need for an on-site inspection, then of course that inspection should be carried out. A very interesting suggestion, in my view, for securing speedy action in such a circumstance was put forward here by the representative of Japan in his statement of 10 March. He proposed that a roster of experts on biological and chemical warfare be prepared by the Secretary-General of the United Nations to be used for on-site inspection should the need arise.²² The Polish delegation will not fail to give this proposal more thorough analysis.

27. When we speak of a system of verification and control our primary concern must be to ensure that this remains within the scope of obligations assumed under the treaty. In proposing the said addition to the draft convention we are fully aware of the fact that any system of complaint and verification must be credible and must inspire confidence in order to avert suspicion on the part of any one of the signatories. On the other hand, we must always bear in mind that when seeking the most perfect methods of compliance with any measure of disarmament political realism should remain our guide if we really desire to make progress. Indeed, we fully share the view expressed by the representative of Sweden, Mrs. Myrdal, in her statement on 9 April 1970 that "the main objective of any verification procedure is that it should generate mutual trust."²³ We agree with this and accept it to be the very essence of co-operation. Based on good will it may prove to be the most efficient if not the only way to solve differences that might arise in the future between parties to the convention.

28. We also accept the view of the representative of Sweden that a complaints procedure does not ensure full, positive observance of the provisions of the convention by all the parties concerned.²⁴ But we should like to draw the Committee's

²¹ *Documents on Disarmament, 1969*, pp. 455-457.

²² CCD/PV. 456, pp. 28-29.

²³ *Ante*, p. 135.

²⁴ *Ante*, pp. 138 ff.

attention to the fact that in the last two preambular paragraphs of the draft resolution of the Security Council proposed in our working paper we twice stress the necessity to undertake proper steps to ensure strict compliance with the obligations stemming from the convention. That means that the Security Council, in accordance with its statutory function deriving from the United Nations Charter, would be in a position to take all appropriate steps resulting from the process of the investigation so that any would-be violator would have no chance of escaping sanctions.

29. We well know that there are delegations which hesitate to rely solely on the Security Council on questions relating to the application of safeguard measures because of the veto power of its permanent members—or should I say rather because of the provisions for consensus among the major Powers. We would not argue that one could not conceive theoretically a more sophisticated and effective system of security than that provided for in the Charter of the United Nations. But, let us face it, no better system of security has been worked out so far and we doubt whether the foreseeable future will bring changes in this respect. We are persuaded that the present system is valid and fully adequate for the purpose of a convention on chemical and bacteriological (biological) warfare. On the other hand, we have to concede that in the past many painful problems of international relations remained unsolved and some still await solution, not because of any shortcomings of the Charter but simply as a result of insidious disregard by some Powers of its provisions and of the decisions of the Security Council.

30. The consideration of our working paper should be in no way separated from that of other provisions of the draft convention and in particular of its articles 5 and 6. Article 5 is an important instrument safeguarding compliance with the provisions of the convention. It provides for the early adoption and enforcement by States—of course in accordance with their constitutional procedures—of the necessary legislative and administrative measures pertaining to the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and to their destruction. One should not underestimate the importance of the subject matter and the enforcement power of its provisions. As in other well-known international instruments of that same type, the draft convention envisages the need to supplement international obligations of States by corresponding national and administrative measures.

31. A pertinent interpretation of administrative measures that may be undertaken in the fulfilment of the provisions of article 5 of the draft was spelled out by the representative of Yugoslavia, Mr. Vratuša, in his statement on 10 March when he suggested that all States should place their institutions engaged in chemical and bacteriological (biological) warfare research, development and

production under civilian administration.²⁵ We are happy to know that this interpretation of article 5 has met with support from many speakers here.

32. Another possible important administrative measure connected with the implementation of article 5 of the draft convention might be the inclusion in the textbooks of schools and universities dealing with chemistry and biology of a precise indication that the use of any chemical formula or any biological agent for any warlike purposes constitutes a violation of international law and will be prosecuted in accordance with the appropriate national legislation. Every individual must become aware of the danger represented by chemical and bacteriological (biological) weapons and must be prepared for some form of participation in the enforcement of the convention prohibiting the development and production of those inhuman means of warfare.

33. I cannot of course abuse the patience of this Committee by multiplying examples of possible measures in this field. We are ready to co-operate in spelling out other possible practical measures to this end. In these considerations we are guided by our deep conviction of the necessity of mobilizing the masses of the peoples of the world against all the dangers of modern warfare in order that they may not be taken by surprise from ignorance of the lethal armoury sometimes built up by their own governments. As Mr. Gomulka said in his speech at the United Nations General Assembly in 1960:

It is of the utmost importance that mankind be fully aware of the dangers inherent in modern warfare. We have no right to conceal from the nations the truth about the real effects of nuclear arms and of weapons of mass destruction. On the contrary, we are in duty bound to spread this truth in order to make it easier for all nations to join their efforts in the struggle against the threat of war for general and complete disarmament.²⁶

Those remarks uttered in 1960 guided our delegation when it proposed a substantive report by the Secretary-General on the effects of atomic weapons and, more recently, of bacteriological and chemical weapons, and we have always advocated extremely wide distribution of this kind of information.

34. The undoubted value of the safeguard provisions contained in article 5 of the draft convention rests on the consciousness and awareness of millions of people, particularly those workers, farmers and technicians who are proud of their participation in the building of a better world, not in its utter destruction. Together with the scientists engaged in research and given the proper instrument of internal law their attitude can constitute a valuable guarantee that the convention now proposed by the socialist States will not be violated, and we hope that in this respect we are

²⁵ CCD/PV. 456, pp. 16-17.

²⁶ *Documents on Disarmament*, 1960, p. 257.

neither romantic nor unrealistic; we are feeling the importance of the pressure and attitude of public opinion.

35. The problem has been raised of how national enforcement could be carried out in different economic and social systems. This does not seem to be a great problem. When the interests of entire populations are at stake, when we are dealing with crucial problems of peace and human survival or utter destruction, the feelings and actions of individuals are very much the same irrespective of the political system under which they live. As far as we are concerned, I stress again that we firmly believe in their final judgement. And may I be permitted to say that we cling firmly to the principle enunciated by Lenin that "disarmament is the ideal of socialism". I say that because we are now approaching the one-hundredth anniversary of Lenin's birth and it is all the more appropriate to reaffirm that for us, a socialist country, his heritage means not only disarmament but also the lessening of international tension, peaceful coexistence and peaceful co-operation, however greatly the ideas of Lenin and Marx may be twisted by their opponents.

36. What we are proposing is indeed a combination of international and domestic legal procedures which would make it extremely difficult to bypass the provisions of the convention on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and on the destruction of such weapons.

37. In keeping with its position of principle, the Polish Government has always made proposals which would lead, we sincerely believe, to general and complete disarmament. That is the objective. Poland has lent its full support to measures to promote the achievement of this aim, and we are not easily discouraged in the pursuit of our aims. Although in the past there have been situations in which we could not feel encouraged by the reactions of the Western Powers to some of our proposals—the proposal for a nuclear-free zone in Central Europe in 1957²⁷, the proposal for freezing atomic weapons in Europe in 1963²⁸, and the proposal for the convocation of a European conference on security and co-operation in 1964²⁹—we have never felt discouraged. This is particularly true in connexion with the last proposal concerning a European conference on security and co-operation. We are working hard to see that this is convened and to make it a success because we are still ready to explore, together with our socialist friends, every possibility of strengthening peace and security. In this spirit of complete devotion to the tasks confronting us in this Committee we of Poland firmly believe that the proposal I have had the privilege to introduce to this Committee will be met with good will and an attitude of co-operation—well-known features of the Conference of the Committee on Disarmament.

²⁷ *Ibid.*, 1945-1959, vol. II, pp. 889-892.

²⁸ *Ibid.*, 1963, p. 651.

²⁹ *Ibid.*, 1964, p. 527.

Statement by the Soviet Representative (Roshchin) to the Conference of the Committee on Disarmament: Chemical and Biological Weapons, April 14, 1970¹

Permit me first of all to welcome the Deputy Foreign Minister of the People's Republic of Poland, Comrade J. Winiewicz, who has come to take part in the work of the Committee on Disarmament. His statement in the Committee² and the introduction of a proposal on safeguards for inclusion in the draft convention of the socialist countries on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons, and on the destruction of such weapons³ are evidence of the great interest and the ceaseless efforts of the socialist countries aimed at ensuring progress in the cause of disarmament and, in particular, in achieving the complete prohibition of the use of chemical and bacteriological means of warfare.

58. The Soviet delegation was most interested to listen to Comrade Winiewicz's statement in which, on behalf of Poland, Hungary and Mongolia, he introduced a working paper containing an important addition to the draft convention of the nine socialist countries.⁴ The delegation of the Soviet Union would like first of all to express its gratitude to the authors of the working document submitted to the Committee for the work they accomplished in preparing the aforesaid proposal.

59. The Soviet side regards the introduction of the text of a new article on the question of safeguards into the draft convention on the complete prohibition of chemical and bacteriological weapons, and of the draft resolution of the Security Council on that subject as an important, very useful and timely initiative aimed at facilitating a rapid and positive solution of an urgent problem of disarmament—the complete prohibition of chemical and bacteriological agents of warfare. The Soviet delegation declares its full agreement with the characteristic features of this proposal and with the appraisals of its significance which were made this morning by the Deputy Foreign Minister of the Polish People's Republic, Mr. Winiewicz, and the head of the delegation of the Mongolian People's Republic, Mr. Dugersuren. Further to what has already been said, permit me to draw attention to certain points in connexion with this proposal which in our view are important.

60. During the discussions at the twenty-fourth session of the General Assembly and at the current session of the Committee on Disarmament on the problem of prohibiting chemical and bacteriological agents of warfare the delegations of many countries spoke in support of the need for a joint prohibition of these agents and

¹ CCD/PV. 464, pp. 22-25.

² *Supra*.

³ *Documents on Disarmament, 1969*, pp. 455-457.

⁴ *Ante*, p. 140.

expressed their approval of the approach shown in this regard in the draft convention of the nine socialist countries. At the same time the delegations expressed the wish that in this draft the provisions dealing with the safeguarding of compliance with the convention by the parties thereto should be strengthened. Such proposals were put forward, particularly in the Committee on Disarmament, by the delegations of Pakistan, Japan, Nigeria and a number of other countries. In fact, this was one of the most important considerations expressed in regard to the aforesaid draft convention. The addition to the text of the convention proposed by the three countries and the corresponding draft resolution of the Security Council represent a step towards meeting those wishes.

61. Incorporated in the text of the draft convention, the new article will organically supplement the other articles of the convention designed to safeguard the strict implementation of the convention by the signatory countries. Articles 4, 5 and 6 of the draft convention of the nine socialist countries and the new article proposed by the three countries, in conjunction with the proposed resolution of the Security Council, will ensure a reliable system of safeguards and an effective procedure for considering cases of possible violation of the provisions of the convention. Thus there will be established a realistic and workable system of safeguards, which is the only conceivable one for the normal operation of an agreement on the prohibition of the development, production and stockpiling of chemical and bacteriological weapons, and on their destruction.

62. Indeed, the implementation of the provisions of article 5 under which each State party to the convention undertakes to take as soon as possible, in accordance with its constitutional procedures, the necessary legislative and administrative measures to put a stop to the development, production and stockpiling of chemical and bacteriological weapons and to destroy such weapons, and of article 4, under which the parties to the convention shall be internationally responsible for compliance with this agreement by all undertakings and citizens of their respective countries, will ensure the fulfilment of the convention. It should be noted that while the provisions of these articles—particularly article 5—are very categorical, they are at the same time sufficiently flexible to give each government the possibility of itself determining the nature of the safeguards in accordance with the usages and constitutional rules existing in its country. Entrusting the implementation of the provisions of the convention to the national governments within their own countries will create assurances of the implementation of the ban on the development, production and stockpiling of chemical and bacteriological weapons by any enterprises in those countries, as well as of the destruction or the switching of existing stocks of such weapons to

peaceful needs. In the last analysis, as was most aptly noted by the representative of Bulgaria, Mr. Christov, on 7 April:

After all, it is the governments which, pursuing an armaments policy, take all decisions concerning studies, experiments, development, etc. of chemical weapons. And it is at governmental level that the agreement will be concluded, with the necessary control measures.⁵

63. Thus articles 4 and 5 of the draft convention, as well as article 6 under which States parties to the convention undertake to consult one another and to co-operate in solving any problems which may arise in the application of the provisions of the convention, are logically supplemented by the provisions of the new article proposed today. This new article, as explained in detail by the Deputy Foreign Minister of the Polish People's Republic and the representative of the Mongolian People's Republic, provides for the right of each party to the convention to lodge a complaint with the Security Council if the party concerned has reason to believe that any other party to the agreement is contravening the convention, and to request the Council to consider the complaint. Each party to the convention accordingly undertakes to co-operate in carrying out any investigations which might be undertaken by the Security Council. Thus a thoroughly worked-out procedure is established for investigating possible cases of violation of the convention by the parties thereto. The very fact of the existence of this procedure, apart from its direct purpose, will, we believe, act as a deterrent and will guarantee strict compliance by all the signatory States with the terms of the agreement. On the whole—and we emphasize this once again—the new article on safeguards, together with the existing articles concerning assurances of the implementation of the convention, and the resolution of the Security Council strengthening those articles will make the convention a reliable and effective international agreement.

64. Underlying the new initiative of the socialist countries is a sincere endeavour to contribute to progress in reaching agreement on a convention on the complete prohibition of chemical and bacteriological agents of warfare and our desire to show the most constructive possible approach to the solution of that problem. We trust that this circumstance will meet with understanding on the part of the members of the Committee and that in a spirit of co-operation we shall succeed in completing our work on the preparation of an agreement on the complete prohibition of chemical and bacteriological weapons.

65. In conclusion, we should like to associate ourselves with the words which the Deputy Foreign Minister of Poland, Mr. Winiewicz, and the representative of Mongolia, Mr. Dugersuren, addressed to the delegation of the United States and to express the hope that the measures being taken for the return of the spacecraft Apollo 13 will be successfully completed and that the astronauts will return safely to earth.

⁵ CCD/PV. 462, p. 22.

Report of the Senate Foreign Relations Committee on Arms Control and Disarmament Act Amendments, April 14, 1970¹

The Committee on Foreign Relations, to which was referred the bill (S. 3544) to amend the Arms Control and Disarmament Act, as amended,² in order to extend the authorization for appropriations and provide for the uniform compensation as Assistant Directors having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

PURPOSE

The purpose of this bill is to authorize the appropriation of \$17,500,000 for the fiscal years 1971 and 1972 operations of the Arms Control and Disarmament Agency (ACDA). The Agency expects to request the appropriation of \$8,300,000 for fiscal year 1971 and of \$9,200,000 for fiscal year 1972. The expiring 2-year authorization was for \$18,500,000 of which not more than \$7 million could be used on external research. The history of authorizations, appropriations, and obligations since establishment of the ACDA follows:

UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY—ANALYSIS OF AUTHORIZATIONS, APPROPRIATIONS, AND OBLIGATIONS 1962-72

	Author- izations	Appro- priations	Balance of author- ization available	Balance of author- ization expiring	Obligations	Unobligated balance expiring
Fiscal years 1962 and 1963, no-year limitation (Public Law 87-297)	\$10,000,000	...	...	...	...	...
Fiscal year 1962:						
Activity ³	\$1,831,100	...	...	...	\$1,829,190	-\$1,910
Program operation	(1,231,100)	...	...	...	(1,229,190)	(-1,910)
Contract research	(600,900)	...	...	...	(600,000)	...
Fiscal year 1963:						
Activity (Public Law 87-843)	6,500,000	...	...	...	6,108,569	-391,431
Program operation	(2,500,000)	...	...	...	(2,548,560)	(+48,560)
Contract research	(4,000,000)	...	...	...	(3,560,009)	(-439,991)
Total fiscal years 1962-63	10,000,000	8,331,100	\$1,668,900	...	7,937,759	-393,341
Fiscal years 1964 and 1965 (Public Law 88-186)	20,000,000	...	...	...	...	...
Fiscal year 1964:						
Activity (Public Law 88-245)	7,500,000	...	...	...	7,375,217	-124,783
Program operation	(3,400,000)	...	...	...	(3,341,073)	(-58,927)
Contract research	(4,100,000)	...	...	...	(4,034,144)	(-65,856)
Fiscal year 1965:						
Activity (Public Law 88-527)	9,000,000	...	...	...	8,966,130	-33,870
Program operation	(3,600,000)	...	...	...	(3,566,935)	(-33,065)
Contract research	(5,400,000)	...	...	...	(5,399,165)	(-605)
Total fiscal years 1964-65	20,000,000	16,500,000	...	\$3,500,000	16,341,347	-158,653
Fiscal years 1966, 1967, and 1968 (Public Law 89-27)	30,000,000	...	...	...	...	...

¹ S. Rept. 91-766, 91st Cong., 2d sess.

² *Documents on Disarmament*, 1961, pp. 482-495; *ibid.*, 1963, pp. 622-623; *ibid.*, 1965, p. 206; *ibid.*, 1968, p. 396.

Appropriated to Department of State	\$1,017,000
Deduct amount obligated by State	-186,000
Balance Transferred to ACDA	831,000
Supplemental Appropriation to ACDA (Public Law 87-332)	1,000,000
Total available to ACDA	1,831,000
Obligated by State	186,000
Obligated by ACDA	1,829,000
Total Obligations	2,015,000

Fiscal year 1966:						
Activity (Public Law 89-164)	10,000,000			9,737,433	-262,567	
Program operation	(4,072,000)			(3,928,269)	(-143,731)	
Contract research	(5,928,000)			(5,809,164)	(118,836)	
Fiscal year 1967:						
Activity (Public Law 89-797)	9,000,000			8,775,025	-224,975	
Program operation	(4,165,000)			(4,010,437)	(-154,563)	
Contract research	(4,835,000)			(4,764,568)	(-70,432)	
Fiscal year 1968 (Public Law 90-133)						
Activity	9,000,000			8,999,988	-12	
Program operation	(4,300,000)			(4,500,000)	(-)	
Contract research	(4,500,000)			(4,499,988)	(-12)	
Total 1966, 1967, and 1968	30,000,000	28,000,000	2,000,000	27,512,446	-487,554	
Cumulative through 1968	60,000,000	52,831,010	1,668,900	5,560,000	51,791,552	-1,039,548
Fiscal years 1969 and 1970 (Public Law 90-314)						
Activity	18,500,000					
Fiscal year 1969 (Public Law 90-470)						
Activity	9,000,000			8,967,345	-32,655	
Program operation	(5,365,000)			(5,365,289)	(-711)	
External Research and field testing	(3,634,000)			(3,602,056)	(-31,944)	
Fiscal year 1970 (Public Law 91-153)						
Activity	9,500,000			9,500,000		
Program operation	(6,600,000)			(6,600,000)		
External research and field testing	(2,900,000)			(2,900,000)		
Total fiscal years 1969 and 1970	18,500,000	18,500,000		18,467,345	-32,655	
Cumulative through 1970	78,500,000	71,331,100	1,668,900	5,560,000	70,248,897	-1,072,203
Fiscal years 1971 and 1972						
Activity	17,500,000					
Fiscal year 1971						
Activity	8,300,000					
Program operation	(6,300,000)					
External research and field testing	(2,000,000)					
Fiscal year 1972						
Activity	9,200,000					
Program operation	(6,700,000)					
External research and field testing	(2,500,000)					
Total fiscal years 1971 and 1972	17,500,000	17,500,000		17,500,000		
Cumulative through 1972	96,000,000	88,831,100	1,668,900	5,560,000	87,758,897	-1,072,203

No other changes in the Arms Control and Disarmament Act are proposed. The administration had requested authority to pay an Assistant Director who was on active duty with the Armed Forces the difference between his military pay, including allowances, etc., and that received by other Assistant Directors (level V of the executive salary schedule, presently \$36,000 a year) but the committee eliminated this provision.

AGENCY OPERATIONS

As the table above shows, the Agency's functions are divided into two major categories—program operations and external research including field testing. Program operations consist of various important functions—advising the President and Secretary of State on arms control matters; preparing for, and conducting, negotiations in this field; and generally coordinating arms control research and policymaking in the executive branch.

While in the early years of the agency this aspect of its work took second place to the external research program, in recent years the pendulum has swung and now program operations absorb the greater part of the Agency's funding. This is quite reasonable in view of the important negotiations on strategic arms limitation (SALT) due to start in Vienna soon and the continuing discussions at the Conference of the Committee on Disarmament at Geneva on such subjects as a seabed treaty, chemical and biological arms control, and similar measures.

⁴ Includes appropriation transfer of \$34,875 to GSA.

⁵ Includes appropriation transfer of \$15,387 to GSA.

External research, the other major category has been declining and is estimated to reach a low of \$2 million in fiscal year 1971 and rise to \$2,500,000 in fiscal year 1972. The committee in the past has been critical of some of the external research projects of the ACDA but believes as presently constituted this research is in the national interest. A large proportion of it, according to the ACDA Director, Gerard Smith, is in direct support of current or prospective negotiations. While the 2-year \$7 million ceiling placed on this research for fiscal years 1969 and 1970 will not apply to the fiscal years 1971 and 1972, the committee has been assured that, nonetheless, this research will be kept below this amount.

COMMITTEE ACTION AND RECOMMENDATION

The ACDA authorization request was submitted by the President on February 24, 1970, and incorporated in S. 3544, introduced by Senator Fulbright (by request). At a public hearing on March 23, the ACDA Director Gerard Smith testified in favor of the proposal. The hearing is printed for the information of the Senate. Thereafter on April 10, 1970, the committee ordered the bill reported favorably to the Senate with an amendment.

There is every indication that this is a reasonable request. It is \$1 million less than the expiring 2-year authorization. Moreover, the agency is involved in a number of serious negotiations, the principal one being SALT. The proposed 2-year authorization of \$17,500,000 for fiscal years 1971-72 will enable the Agency to carry out its important functions. The committee recommends prompt enactment of S. 3544, as amended.

CHANGES IN EXISTING LAW

In compliance with subsection 5 of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SECTION 49(a) OF THE ARMS CONTROL AND DISARMAMENT ACT

Appropriation

Sec. 49. (a) There are hereby authorized to be appropriated not to exceed \$10,000,000 to remain available until expended, to carry out the purposes of this Act. In addition, there is hereby authorized to be appropriated for the fiscal years 1964 and 1965, the sum of \$20,000,000, and for the three fiscal years 1966 through 1968, the sum of \$30,000,000, and for the two fiscal years 1969 through 1970, the sum of \$18,500,000 *and for the two fiscal years 1971 and 1972, the sum of \$17,500,000*, to remain available until expended, to carry out the purposes of this Act. Notwithstanding any other provision of this Act, not more

than \$7,000,000 of the funds appropriated pursuant to the preceding sentence for fiscal years 1969 through 1970 may be used for the purpose of research, development, and other studies conducted in whole or in part outside the Agency, whether by other government agencies or by public or private institutions or persons: *Provided*, That this limitation shall not apply to field test activities conducted pursuant to the authority of this Act.

**Address by C.P.S.U. General Secretary Brezhnev
at Kharkov [Extract], April 14, 1970¹**

The strengthening of peace in Europe has been and remains one of the main concerns of our foreign policy. Displaying implacability toward the imperialist policy of militarism and revanchism and tirelessly exposing the schemes of those who would like to redraw the borders in Europe, the socialist countries and the Communist and Workers' Parties have advanced a realistic program for consolidating European peace. This program envisages the renunciation of the use of force or the threat of its use, recognition of the territorial status quo that has come about in Europe since the second world war and the development of mutually advantageous trade, economic, scientific, technical and cultural ties among all European states regardless of differences in their social systems.

The socialist countries' proposals are not directed against anyone's legitimate interests. Their purpose is the organization of international cooperation on the basis of sovereign equality, noninterference in one another's internal affairs and respect for territorial inviolability and the state independence of the countries of Europe. Who could object to such proposals? Is it not clear that a genuine normalization of the situation in Europe can be achieved precisely in this way? It is no accident that the idea of convening an all-European conference of states on questions of security and cooperation, an idea advanced by the socialist countries, is receiving ever broader international support.

I especially want to dwell on the problem of disarmament.

The whole world knows that for many years now our country, together with the other socialist states, has been waging a persistent struggle against the arms race, against the stockpiling of lethal weapons that threaten to turn whole countries into heaps of ruins. The idea of disarmament was advanced by the first Soviet government, headed by V. I. Lenin.

Of course, the Communists have never approached this question from positions of toothless pacifism. We have understood full well and continue to understand that as long as the threat of imperialist

¹ *Pravda*, Apr. 15, 1970, pp. 1-2; *Current Digest of the Soviet Press*, vol. 22, no. 15 (May 12, 1970), p. 4.

intervention exists, as long as imperialism threatens the world with new military adventures, the forces of progress must possess the necessary military might to deter aggression and militarism.

At the same time, we believe that in present conditions, in conditions of the division of the world into states with different social and political systems, in conditions of an acute political and ideological struggle between socialism and capitalism in the international arena, practical steps in the direction of disarmament can and should be taken. This fact has been vividly confirmed by the experience of recent years.

The Treaty on the Nonproliferation of Nuclear Weapons² went into force recently; the overwhelming majority of the states in the world are parties to this treaty. Together with the Treaty Banning the Testing of Nuclear Weapons in the Atmosphere, in Outer Space and Under Water³ concluded earlier, and certain other agreements of the same kind, the new treaty is called upon to play an important role in lessening the threat of a nuclear war. We must create an atmosphere in the world so that the states that have not yet put their signatures to this treaty will take its provisions into consideration.

Now on the agenda is such an important problem as checking the strategic arms race. Preliminary contacts between the U.S.S.R. and the U.S.A. have already been held. Further talks on this complicated question are to begin in Vienna in a few days. The Soviet Union would welcome a reasonable agreement in this field. We have created strategic forces that are reliable means of deterring any aggressor. We will respond to any attempts by anyone to gain military superiority over the U.S.S.R. with the requisite increase in military might, thereby guaranteeing our defense. (*Prolonged applause.*) We cannot act otherwise. (*Prolonged applause.*)

However, if the U.S. government really desires an accord on checking the strategic arms race, if the American public succeeds in overcoming the resistance of the arms manufacturers and of the military, then the prospects for the talks could be assessed as positive. In any case, the Soviet Union will do everything in its power so that these talks will prove useful.

We want to make all this perfectly clear, inasmuch as the American circles that have a stake in the arms race have now become especially active. They are circulating slanderous allegations that the Soviet Union intends to build up its arms production no matter what. This is an old trick of the militarists, who have always tried to intimidate the public in order to wangle larger appropriations for war preparations.

² *Documents on Disarmament*, 1968, pp. 461-465.

³ *Ibid.*, 1963, pp. 291-293.

**German Television Interview With Secretary of State Rogers:
European Security and Strategic Arms Limitation Talks
[Extract], April 15, 1970¹**

Mr. Werner: Assuming, Mr. Secretary, that the United States and the Soviet Union cannot in the foreseeable future agree on MBFR do you think or believe that the U.S. administration, despite the pressure exerted by Congress, will be able to maintain troops in Europe over and beyond the 30th of June 1971 at the present level?

Secretary Rogers: Well, I think the answer to that is that we certainly can maintain troop strength at present levels.

No decision has been made on whether there will be any change at that time or not. In any event, we are not talking about any major change. We are talking about shifts of emphasis; we are talking about burden-sharing and things of that kind.

Now, there has been some discussion to the effect that we have already decided to reduce our troop strength in Europe; that is not the case. We will consider it prior to the middle of 1971. We have said that we think periodically the question of contribution to NATO should be reviewed. And I am not speaking of it just in the German context; I am speaking of it in the whole NATO context. And, at that time, we will have to consider whether there will be a reduction or not.

But I do want to emphasize that the United States has no intention—President Nixon has made this quite clear—of making any change that will in any way cause political or psychological repercussions that would weaken NATO.

Mr. Werner: Is it not in the national interest of the United States itself to support and justify the right of political co-decision in Europe by the very fact of maintaining forces of adequate level in Europe?

Secretary Rogers: Yes, there is no question about that.

We consider NATO the most important security alliance that we have. And we think that our troops in Europe are important to give credibility to that alliance. So there is no doubt in our minds about it at all.

And when we talk about a change, possibly, in troop strength, we are talking about relatively small changes. We have had changes in the past, as you know. We are not talking about taking our troops out of NATO.

¹ *Department of State Bulletin*, May 4, 1970, pp. 567-569. The interview was videotaped Apr. 15 and broadcast Apr. 16.

Mr. Menzel: Mr. Secretary, amongst Western Foreign Ministers, you have come to be known to have a particularly skeptical view on the idea of the European security conference. Under what circumstances would you be able to be friendly with the idea of such a conference?

Secretary Rogers: Well, I think that the conclusion about my attitude is incorrect.

We are not opposed at all to the principle of a European security conference. But we think that a conference, if it is to be held, should be very thoroughly prepared: that we should understand before we go to the conference what the conference is going to deal with, whether it has any prospects of success, whether the suggestions that are made are made in good faith, or whether it is just an attempt to have a propaganda exercise.

Consequently, we have been concerned about the proposal in that it doesn't really deal with the security problems of Europe. Security problems in Europe basically revolve around the division of Germany and the fact that you have the Warsaw Pact troops on one side of Europe and the NATO forces on the other. And there was no discussion proposed at all in the European security conference on these two matters.

Now, we think, for example, that the question of mutual and balanced force reductions would be a very important subject for discussion in any conference. And we would like to find out whether the Soviet Union is seriously interested in that kind of discussion.

Now, there are many other discussions going on at the present time. We have mentioned some of them here today: discussions between the Soviet Union and the Federal Republic, discussions between the two parts of Germany, discussions between Germany and Poland. We are having discussions with the Soviet Union on a number of matters.

Now, if some progress can be made in those bilateral discussions and we think that the steps we have taken suggest that a conference would be useful, then we would be in favor of a conference. So we are not against a conference. And we think that the idea of mutual and balanced force reductions is a very important subject matter for serious discussion.

Mr. Menzel: Mr. Secretary, do you think that additional direct payments of the Federal Republic of Germany to replace the present payment agreement would be able to check the campaign for a unilateral withdrawal of U.S. forces in this country?

Secretary Rogers: Well, as you know, our agreement with the Federal Republic on offset continues until the middle of next year; so we haven't gotten started in discussing that subject.

I don't think it should be considered as just a bilateral matter between the Federal Republic and the United States. It is a

problem of NATO itself. And the question really is, as I mentioned earlier, one of burden-sharing: "Is the burden that is being carried by the United States greater than it should be at the present time?" And I think that there are a lot of elements that go into that judgment: the question of troop strength, quality of the equipment, balance-of-payments matters, and so forth.

Now, the offset arrangements that we have made in the past will have to be considered in the light of changed circumstances. But it is just one factor to be considered.

STRATEGIC ARMS LIMITATION TALKS

Mr. von Borch: Mr. Secretary, today in Vienna the second phase or round of SALT talks has commenced between the United States and the Soviet Union. Don't you think that the intended installation of MIRV's and the expansion of the ABM system must thwart all hopes for agreement? I think in terms of the Senate motion for a moratorium.² What is your view on that?

Secretary Rogers: No, I don't think that the fact that we are proceeding with our defense programs should adversely affect the SALT talks.

The Soviet Union is proceeding with their defense programs. There has been no diminution of effort on their part. They are deploying their SS-9's, they are testing their SS-9's; they are doing a great many other things in the defense field, just as we are.

Now, if we can reach an agreement in the SALT talks, we can always desist. We don't have to continue. But in the meantime, we don't think it is appropriate for us to terminate our planning in view of the fact that the Soviet Union is continuing their planning and continuing their deployment.

Mr. von Borch: We in Europe are naturally particularly interested in the possible implications of SALT on our continent, simply because of the fact that the Soviet IRBM's are targeted on Europe. Do you intend to negotiate also on these area rockets?

Secretary Rogers: Well, I think it is a little early to tell what we are going to negotiate on; it depends a little bit on what the other side discusses. But this was one of the subjects that was discussed between Chancellor Brandt and President Nixon. And certainly the United States has no intention of doing anything that might adversely affect our European allies without full consultation with the allies. And I think that that is certainly something that is a very long range prospect, if it is a prospect at all.

² See *ante*, p. 132.

**Message From President Nixon to ACDA Director Smith on
Resumption of Strategic Arms Limitation Talks, April 16, 1970¹**

As you and your colleagues resume the effort begun at Helsinki to achieve the limitation of strategic armaments, I reaffirm the statements in my message to you last November.² I expressed then—and I express now—the hope that an agreement can be reached on the limitation and eventual reduction of strategic arsenals with proper recognition of the legitimate security interests of the United States and the Soviet Union and of third countries. Your current instructions will enable you to move from general explorations to a discussion of more specific proposals toward these ends.

In proceeding with this momentous task, you will have as your guide the detailed and comprehensive studies conducted within our government since the first day this Administration took office. You know of my firm commitment to the search for an early, equitable, verifiable agreement. You have authority to approach the issues in the most comprehensive manner.

The effort to limit strategic armaments remains an integral part of our work for a lasting peace, a peace from which all peoples will benefit.

It is my hope and expectation that your Soviet colleagues will carry into the Vienna meetings the same determination to bring about a mutually acceptable agreement.

It is appropriate that your opening session is taking place in a building in which the negotiations for the Austrian State Treaty³ were successfully completed 15 years ago. The United States is grateful to Austria for the arrangements which have been made for this conference.

**Statement by ACDA Director Smith at the Strategic Arms
Limitation Talks, April 16, 1970¹**

Foreign Minister Waldheim, Minister Semenov: On behalf of the United States delegation, I want to thank you, Foreign Minister Waldheim, for your gracious words of welcome. May I also take this opportunity to convey my delegation's appreciation to you and to the Austrian Government for the cooperation shown in providing the site and arrangements for this second phase of the strategic arms limitation talks. We appreciate the hospitality

¹ *Weekly Compilation of Presidential Documents*, Apr. 20, 1970, p. 531.

² *Documents on Disarmament, 1969*, pp. 535-536.

³ *American Foreign Policy, 1950-1955: Basic Documents*, vol. 1, pp. 643-675.

⁴ *Department of State Bulletin*, May 4, 1970, pp. 572-573.

extended to us by your great and charming city. Vienna is the capital of a neutral country whose people, I know, are dedicated to the cause of peace and understanding among nations and want to play an active role in serving that cause. It is most fitting, therefore, that we meet here to carry forward the task of building peace.

To Minister Semenov, and the other members of the Soviet delegation, I would like to extend the greetings of the American delegation. At Helsinki we came to appreciate the high quality of your delegation and the serious manner of our discussions. We look forward to continuing our association here in Vienna in this common endeavor.

Mr. Foreign Minister, Minister Semenov, I would like at this time to read a message I have received from the President of the United States.

[The President's message appears *supra*.]

The members of the United States delegation are fully aware of the heavy responsibility which the President has entrusted to us. We recognize that we are entering a more challenging phase of our talks as we begin the discussion of more specific proposals. We will make every effort in the search for agreement. We both have nothing to gain from failure. We and the world have much to gain from success. We look forward to its early achievement.

Statement by Deputy Foreign Minister Semenov at the Strategic Arms Limitation Talks, April 16, 1970¹

May I express our gratitude to the Minister for Foreign Affairs of Austria, Dr. Waldheim, for his kind wishes for success in our work. We have also attentively followed the statement made by Mr. Smith, head of the United States delegation.

The Soviet Government attaches significant importance to the Soviet-American dialogue on curbing the strategic arms race.

As was underscored a few days ago by the Secretary General of the Central Committee of the Communist party of the Soviet Union, L. I. Brezhnev, the Soviet Union would welcome a reasonable accommodation in this sphere and in any case will do its best for these negotiations to be useful.²

In following the behest of the great Lenin whose birth centenary is being celebrated by progressive mankind, the Soviet Union unswervingly pursues the policy of peace and cooperation among states and peoples. We stand for peaceful coexistence of states irrespective of their social systems as well as for stronger international security and disarmament. It is from these positions of principle that we also approach curbing the strategic arms race,

¹ *New York Times*, Apr. 16, 1970, p. 3.

² See *ante*, pp. 157-158.

the intensification of which serves the interests of aggressive imperialist circles.

It is evident that effective measures toward curbing the strategic arms race would make a substantial contribution to stronger peace and facilitate progress in the field of disarmament. This would meet the interests of the peoples of all countries.

Helsinki saw preliminary contacts between the U.S.S.R. and the United States on the problem under discussion. The items on our program of work in Vienna are not simple. Naturally, goodwill and efforts of both sides are required for emergence of positive prospects in our talks. As far as the U.S.S.R. delegation is concerned, it will, according to the instructions of its Government, make efforts to contribute to the success of our work. It is our hope that the Vienna phase of the negotiations will lead to meaningful positive results.

The U.S.S.R. delegation expresses its appreciation to the Government of the Republic of Austria for the hospitality and welcome accorded to it here. We feel gratified that our stay in Vienna coincides with the 15th anniversary of the state treaty³ that established conditions for Austria's progress along the road of peace and permanent neutrality. In this connection, may I extend our heartfelt felicitations and best wishes to the people of Austria.

Thank you.

United States Note to Secretary-General Thant on the Economic and Social Consequences of Disarmament, April 17, 1970¹

Since the last United States submission on the economic and social consequences of disarmament,² significant steps have been taken by the international community in the field of arms control. The treaty on the non-proliferation of nuclear weapons has been ratified by a number of nations sufficient to bring it into force. Negotiations to limit strategic weapons are under way. At the Geneva Conference work is progressing on a treaty banning weapons of mass destruction from the sea-bed and on significant new proposals for the control of chemical and biological weapons.

Despite these encouraging developments, none of the agreements so far achieved has had direct budgetary consequences. None is of the nature anticipated by several past General Assembly resolutions which foresaw the possibility of substantial resources for development assistance. World-wide military expenditures have not diminished. In fact, in 1969 they reached a new record total of \$200 billion, an increase of roughly two thirds over 1962 when United Nations experts estimated such expenditures at \$120

³ *American Foreign Policy, 1950-1955: Basic Documents*, vol. I, pp. 643-675.

¹ E/4811/Add. 1, Apr. 24, 1970.

² *Documents on Disarmament, 1968*, pp. 196-203.

billion. It is to be hoped that the 1969 level represents a peak in global spending and that an increasing number of nations will find ways to curtail military expenditures and release these resources for constructive and civilian purposes.

In the United States a downturn in the defence budget has taken place. Outlays for national defence in fiscal year 1970 (the year ending 30 June 1970), will be an estimated \$2 billion lower than in the previous fiscal year. A more substantial cut in United States defence spending is proposed for fiscal year 1971. In his budget message to the Congress in January 1970, President Nixon recommended a national defence budget involving outlays of about \$6 billion less than the estimate for fiscal year 1970. These reductions for the two fiscal years amount to almost 10 per cent of the level of defence spending in fiscal year 1969. In the United States, national defence in fiscal year 1971 will claim a smaller share of the federal budget than in any year since 1950.

Savings from the reductions in military expenditures are being reflected partly in income-tax reduction and partly in new or expanded high-priority civilian expenditures by the Government. Important steps have been taken by the President to improve decisions about the allocation of resources, including steps to assure that the broad picture of total national resources and competing claims for those resources enters into the process of decision-making for defence.

It is planned that government programmes for pollution control, crime reduction, transportation and housing will grow substantially in the years ahead. A major new initiative has been recommended by the President to improve the quality of the natural environment—that is, to attack air and water pollution and to provide additional recreational resources. Expenditures for water pollution control are being expanded significantly to include a five-year programme to stimulate \$10 billion of construction for new waste treatment facilities, shared on a matching basis by the federal and state governments. It should be noted in this connexion that much of the social expenditure in the United States is borne by the state and local governments and that their expenditures, as a percentage of total government outlays, are increasing. The Federal Government also assists these entities through grants-in-aid.

Government financial support for housing in fiscal year 1971 will help provide about 600,000 additional units for low- and moderate-income families. The goal for the decade is to construct or rehabilitate 26 million houses, of which six million would be for low and moderate income families.

Legislation is also being proposed to assist urban transportation through a 12-year programme of grants to communities, totaling \$10 billion, to modernize and expand public transit facilities and services. About \$3 billion of this amount is being requested for fiscal year 1971.

Reductions in defence expenditures will, of course, involve reductions of both military and federal civilian personnel and of defence-related jobs in private firms. For the fiscal years 1970 and 1971, about 1.2 million military and civilian positions in the public and private sectors will be affected. By the end of fiscal 1971, an estimated 2.9 million men will be in the armed forces, a reduction of 600,000 or 17 per cent in two years.

The Federal Government will assist the workers and communities directly affected by these reductions in defence spending to make the smoothest possible transition to other activities. This action will include planning assistance, loans and grants for severely affected communities, and, in some cases, the transfer of federally owned facilities to non-defence use.

New efforts are being made to improve the efficiency of manpower programmes. The Manpower Training Act of 1969 creates a comprehensive manpower services system. Proposals now under consideration would decentralize the administration of manpower programmes to state and local governments, which can more accurately identify specific local priorities and programmes, and would provide flexible funding for manpower programmes so that they may be better utilized in the community to meet local needs. In addition, the appropriation of funds for manpower assistance would be increased if the national unemployment rate reached 4.5 per cent of the labour force (seasonally adjusted) for three consecutive months.

The United States system of unemployment insurance, which has been in effect since 1930, is being improved continually, and new legislation is now being proposed which would automatically extend the duration of benefits when unemployment reached a certain level. The legislation would not only assist the displaced workers themselves but would help to maintain purchasing power in the economy as defence programmes are phased out.

In studies of disarmament economics in the United States, much stress has been laid on the need for improvements in the system for matching the skills of displaced defence workers with available jobs in the economy. A promising innovation in this connexion is the Computerized Job Bank, which produces a daily up-to-date computerized list of available jobs to assist the unemployed. The system currently is operating in seven cities in the United States, and it is hoped that by June 1970 this number will increase to 56. In addition, a system of national job vacancy statistics, presently under development, will provide information on the numbers and locations of jobs by industry and by occupation. A pilot project also is under way in several States to test various methods of using computers to match specific jobs to meet the needs, interests and abilities of job applicants.

In a study recently completed by the University of Illinois for the United States Arms Control and Disarmament Agency, pension and severance pay plans of a large number of defence

companies were investigated. While several provisions of these plans, such as those covering vesting, were found to be more liberal than those in comparable non-defence companies, the plans in general were not well suited to meeting the actual needs of the displaced worker. The recommendations of the authors are under study by appropriate government agencies.

Procedures already exist for assisting communities where mass layoffs occur in defence industries with a resultant strong impact on the local economy. There are forms of assistance under existing government programmes whereby affected communities may receive grants and loans for development. Under law, assistance may be provided if a mass layoff occurs and a finding is made that the local unemployment rate will probably exceed the national unemployment rate by 50 per cent in the absence of such assistance. Additionally, the Department of Defense in co-ordination with other government agencies, assists affected communities in planning the most appropriate local use of released military facilities; these may be sold to the community by the Government at virtually no cost.

A study of the economic effects of certain military base closures attempts to measure the actual economic impact on the local communities of the closure of six military installations ordered by the Secretary of Defence in November 1964. The study indicates that because of the high level of aggregate demand, the communities by and large incurred only minor impacts.

A considerable number of specialized studies on the impact of defence cutback and disarmament in the United States have now been completed or are under way. It is likely that the number of new studies of this nature will diminish in the foreseeable future as emphasis is put on the evaluation and implementation of recommendations growing out of completed studies.

The research reports completed for the United States Arms Control and Disarmament Agency since the last United States report on this subject are listed below. Among these reports is an annotated list of the research projects sponsored by the Arms Control and Disarmament Agency in this field. The new reports, like others previously completed, are being made available to the United Nations in the hope that American experience in this field may prove of value to other nations in planning for the most effective use of resources released through reductions in military expenditure.

List of reports completed since the last submission to the United Nations:

The Potential Transfer of Industrial Skills from Defence to Non-defence Industries (vols. I and II)

"Skill transfers: can defence workers adapt to civilian occupations?" (article in *Monthly Labor Review*)

*Re-employment Experiences of Defence Workers**The Defence Dependency of the Metalworking Machinery and Equipment Industry and Disarmament Implications**Pensions and Severance Pay for Displaced Defence Workers**Characteristics of Potential Unemployment Problems in Vietnam Procurement Reductions (Phase I Report)**Economic Impact of Defence and Disarmament in the United States: An Annotated List of Research Projects Sponsored by the Arms Control and Disarmament Agency***United States Working Paper Submitted to the Conference of the Committee on Disarmament: Policy on Toxins, April 21, 1970¹**

1. The United States has renounced the production, stockpiling and use of toxins, and has confined its military programme on toxins to research and development for defensive purposes only. Thus, the United States policy on toxins is identical to its policy on biological programmes.

2. Toxins are poisonous substances produced by biological organisms, including microbes, animals, and plants. Examples of microbial toxins are botulinum toxin, staphylococcus enterotoxin, diphtheria toxin, and tetanus toxin. Toxins produced by animals include puffer fish poison, snake and bee venom, and shellfish poison. Plant toxins include ricin, produced by the castor oil plant, cicutoxin produced by the poison hemlock, and abrin, produced by the Indian licorice seed plant. Laboratory experimentation has shown that, in general, these naturally occurring poisons are far more toxic than the known nerve agents.

3. Two bacterial toxins, botulinum toxin and staphylococcal enterotoxin, have long been discussed as potential agents of warfare. The botulinum toxin is one of the most poisonous substances known to science, and has been estimated to be up to 10,000 times as poisonous as nerve agents. For comparison purposes, if 15 tons of nerve agent would cause 50 per cent deaths over an area of up to 60 square kilometers, then about one and one-half kilograms of botulinum toxin would *theoretically* produce the same effect. Or, 15 tons of botulinum toxin could *theoretically* cause 50 per cent deaths in an unprotected population in an area up to 600,000 square kilometers. Effectiveness would of course depend upon dissemination technology, and actual coverage could vary significantly. Consequently, because of their inherently different characteristics (for example, toxicity), toxins and nerve agents have different possible military roles.

¹CCD/286, Apr. 21, 1970.

4. Where the target population is without protection, toxins could be delivered in a given area with relatively limited logistical effort. Even when masked, the target population would not be certain of protection against toxins because their extremely low dose rate would make masks with minor leaks ineffective, although effective masks would provide substantial protection.

5. In contrast to the biological organisms from which they are produced, toxins are not living organisms and are not capable of reproducing themselves. For this reason, the disease or poisoning caused by toxins is not transmissible from man to man. Thus, toxins cannot cause infectious disease, epidemics, or long-term sources of illness. Consequently toxins could create mass casualties among an adversary's population without risk of spreading to infect the nation initiating use of toxins. The characteristic symptoms of many bacterial diseases are caused by the toxins produced within the human body by living bacteria. Examples of diseases that can be produced by toxins are botulism, tetanus, diphtheria and staphylococcal food poisoning.

6. In common with biological agents, toxins generally have delayed poisonous effects. Their delayed action varies with the particular toxin. Because of their high potency, the effective dosage in man is extremely small if he is neither masked nor immunized. Toxins, if used as weapons, could be dispersed in aerosol form at considerable distances from the target and could cover a very large area, resembling the large areas that could be covered by biological agents. Casualties would therefore result after the target population had been subjected to extremely small quantities of the toxin.

7. With regard to the effects of toxins, botulinum toxin produces botulism, an acute and highly fatal disease. There are at present six types of this toxin of which four are known to be toxic for man. The disease, botulism, is characterized by the combination of extreme weakness, vomiting, thirst, fever, dizziness, blurred vision, dilated pupils, facial paralysis and weakness of respiratory muscles. Death is attributable to paralysis, respiratory failure, and associated cardiac arrest. These symptoms do not appear for 12 to 72 hours.

8. All persons are susceptible to the disease, which occurs naturally throughout the world. While almost completely effective immunization is possible, such measures would be effective only if administered well before any exposure. The mortality rate for naturally occurring botulism in the United States is approximately 65 percent. If effectively weaponized and delivered in a highly purified state, botulinum toxin could have a mortality rate approaching 100 percent. The toxin could be delivered either as an aerosol or through contamination of water supplies.

9. Staphylococcal enterotoxin is a stable protein which produces an acute incapacitation known as staphylococcal food poisoning. It is characterized by severe nausea, vomiting, abdom-

inal pain, diarrhea, and prostration. Its effects generally last for 24 hours.

10. A plant toxin thought to have potential military utility is ricin, which is extracted from the castor bean. The lethal dose of ricin in man is not known, but it is estimated from animal studies to be about 80 millionths of a gram for the average man. Ricin causes death by paralysis.

11. The production of bacterial toxins in any significant quantity would require facilities similar to those needed for the production of biological agents. Though toxins of the type useful for military purposes could conceivably be produced by chemical synthesis in the future, the end products would be the same in the effects of their use and those effects would be indistinguishable from toxins produced by bacteriological or other biological processes.

**Statement by the United States Representative (Leonard) to the
Conference of the Committee on Disarmament: Chemical and
Biological Weapons, April 21, 1970¹**

May I first express our appreciation for the very moving comments made by speakers this morning, as well as last week, and those made to us privately on the subject of Apollo 13. Our delegation, like our entire people, followed closely those stirring events and shared in the great relief and joy which was so widely felt at the safe return to earth of the astronauts. This event underlined in a most dramatic way the fundamental unity of mankind, through the extraordinarily widespread and intense concern demonstrated last week in every part of the globe for the welfare of the astronauts, and I am confident that the implications of that demonstration of unity for us here, for the vital task with which we are charged, are clear to all of us.

51. I should like next to refer to the document which our delegation has just circulated, which you Mr. Chairman have just mentioned, on the subject of one important class of chemicals certain of which could be used as agents of chemical warfare—that is to say, toxins.² The Committee will recall that the United States has itself adopted the same policy on toxins as it adopted earlier with respect to biological weapons. Toxins are briefly described in our working paper and attention is drawn to a number of their characteristics which we feel to be particularly important from the arms control point of view. We hope that in this way we shall be making a further contribution to the Committee's work, a contribution supplementing our earlier working paper on the

¹CCD/PV. 466, pp. 21-25.

²*Supra.*

interrelationships of the peaceful uses of certain more or less common chemicals and their possible military applications.³

52. I should like to make a brief statement on the general subject of chemical and biological warfare. The position of my Government was set forth in detail on 17 March.⁴ Since then, however, several statements have been made in plenary meetings which either misrepresented the United States position or offered arguments which we feel are not well founded. Let me first of all once again make it clear that the United States is committed to achieving effective controls on chemical as well as biological weapons. Our differences with some members of this Committee centre on the present feasibility of attempting to eliminate the threats posed by those two types of weapons at the same time and in a single instrument. We do not think that such a single instrument covering both chemical and biological weapons is now feasible. We believe that the Committee could, if it wished, move directly to negotiate a very simple and straightforward agreement prohibiting biological methods of warfare. It seems obvious to us, however, that chemical weapons pose complex problems which will require more time and effort to resolve. In fact the discussions in the Committee so far this session bear witness to the time that will be required to reach agreement on chemical weapons.

53. It has been asserted that the effect of a separate convention on biological weapons would be to legitimize and even to stimulate the production and stockpiling of chemical weapons. In fact it has even been alleged that the motivation of those governments which advocate a separate convention on biological weapons is precisely to leave themselves free to engage in an arms race in the field of chemical weapons. That is simply not true, and I think such attacks do not make a positive contribution to our work. The United States is fully prepared—indeed is determined—to make a genuine effort to solve the problems involved in expanding the already existing prohibitions against chemical warfare at the same time as we proceed with the easier task of a total ban on biological warfare.

54. Moreover, it is difficult to see any logic in the argument that a separate ban on biological weapons would stimulate production of chemical weapons. The same logic would suggest that it was not desirable to agree to arms control measures concerning nuclear weapons since any restraints on nuclear weapons could encourage an arms race in conventional weapons. This Committee has not accepted any such proposition in relation to conventional and nuclear weapons and there is no reason to accept a parallel proposition relating to biological and chemical weapons. As we have pointed out, biological and chemical weapons would have different roles if ever used in a war, and there is simply

³ *Ante*, pp. 91-93.

⁴ *Ante*, pp. 100-106.

no logic in suggesting that a country would have more need for chemical weapons if it relinquished biological weapons.

55. I might describe our concept of handling chemical and biological weapons as involving a simultaneous advance along two or possibly more tracks. If we are able to proceed more quickly on one track—and we believe that will prove to be the case with biological weapons—we hope the Committee will fully exploit that opportunity to make concrete progress, meanwhile moving as quickly as possible down the other track or tracks. If we follow that pragmatic course of action it seems only reasonable that as soon as we come to the end of any track we should formalize the agreement thus reached in a treaty text.

56. There are serious problems to be solved in developing additional, generally-acceptable prohibitions on chemical weapons. These problems are not insoluble. The United States, contrary to the assertions of some, does not suggest that they are insoluble or that the problems of chemical weapons should be “put off to the indefinite future”. On the contrary, it is our position that we should work on these problems now. At the same time, we recognize, and are prepared to say frankly, that this task will at best require efforts extending beyond this year. To cite only one problem, the insistence of some delegations that there is no need for effective verification to be included in a chemical weapons prohibition, if this position is maintained, will be in itself a major barrier to agreement.

57. We believe that many governments, not only the United States, would not be willing to support a treaty banning the production and stockpiling of chemical weapons if that treaty were not subject to reliable verification procedures. Our own research so far leads us to believe that any verification system for chemical agents which did not include effective monitoring and inspection provisions would not be adequate. We shall be discussing the subject of verification at our informal session tomorrow, but for now I wish to note that we find that the proposals made on 14 April by the Polish delegation⁵ do not constitute a satisfactory system for verifying a ban on the possession of modern chemical weapons. It is not adequate to suggest that there will be a complaint mechanism when there may be no means of knowing whether and when the facts exist for invoking the mechanism.

58. An extremely serious arms control problem in the chemical weapons field concerns a prohibition on the possession of nerve agents. The possession of nerve agents does not give any Power a clear military advantage when it has reason to believe that a potential opponent will be prepared to retaliate with nerve agents. But the one-sided possession of nerve agents could offer unacceptable advantages to the Power possessing them. And, let me

⁵ *Ante*, pp. 141 ff.

emphasize, such a situation would inevitably increase the temptation to use nerve agents in any conflict. Thus, chemical warfare could become more, rather than less, likely—a result hardly in keeping with the objectives of this Committee.

59. We have heard it suggested that the United States, as well as some other major Powers, need not fear this consequence because we could always, so to speak, even the score with nuclear weapons. That argument is one which, in full candour, we are surprised to hear from any member of this Committee. It seems to us that anyone who suggests retaliating with nuclear weapons in the event of a chemical attack is abrogating his responsibility to find meaningful arms control solutions to the problems of chemical weapons.

60. It is fortunately the case with biological weapons, however, that the problem of verification does not present a serious barrier to progress. Although it is true that systematic inspection with the objective of detecting small-scale violations of a ban on biological weapons would pose difficult problems, those problems would be much less intractable in the case of a suspected large-scale biological weapons installation. At the same time there are quite logical reasons why such inspection is not necessary. The principal purpose of verification in this situation is to assure parties that they need not maintain a particular weapons capability for purposes of deterrence or retaliation. Because biological weapons inherently lack reliability as an effective deterrent or instrument of retaliation, even their known retention by one State should not affect another State's decision to give them up. Knowledge of whether another country in fact has biological weapons is therefore considerably less significant than in cases such as chemical weapons where such knowledge could lead other countries to meet the threat by developing a capability to retaliate in kind.

61. The question has been asked what the value will be of a separate biological weapons prohibition. In our view the value is that such an agreement will reduce substantially the likelihood that any State will maintain a biological weapons capability. It will thus reduce the danger that disease will ever be used as a weapon of war. In that regard I have been concerned that our view of the usefulness of biological warfare as a weapon has been distorted. We have maintained that biological warfare is not an effective retaliatory weapon, but we do not by any means assert that it would be a useless weapon in all circumstances. The military characteristics required of a retaliatory weapon may be rather different from those of a weapon intended for first use. Still other military characteristics may be required for a covert or sabotage weapon. Certain biological weapons could in fact be used either for a massive first-use attack or for a sabotage attack. There are a number of biological agents currently available for those purposes. The continued development of these weapons would increase the

danger of a way being found to produce strains of biological agents which would be resistant to medical therapy.

62. Those who believe that biological weapons would have little military value for first use or sabotage perhaps have not consulted the excellent report of the World Health Organization on chemical and biological weapons.⁶ That report gives the following estimates: a single bomber disseminating only 50 kilogrammes of a lethal agent over a city could cause hundreds of thousands of deaths; sabotage of a communal water supply could cause death and disruption to tens of thousands of people; and either sabotage or open attack which led to a secondary spread of epidemic could, under certain conditions, result in millions of illnesses and deaths. As the WHO report makes clear, it is already well within the capability of a number of States to bring about these potential casualties, and such a capability could be acquired by many more.

63. We therefore see ample reason to prohibit biological weapons and to do it promptly, and we see no barrier to taking this step. Looked at from another direction, we can see no advantage to the governments of the world in refraining from taking this step. To leave open the option of producing and stockpiling biological weapons does not in any way make it more likely that we shall deal effectively with chemical weapons. Chemical warfare presents its own problems and those problems will have to be taken care of in their own way. That task will not be made easier by leaving States free to produce biological weapons. Rather we can see the reverse as being true: a successful agreement on biological weapons could give greater momentum to our deliberations on chemical weapons.

64. Certainly those who urge that control of biological weapons must await the control of chemical weapons cannot seriously believe that the United States or any other government would adopt what it considers an unsound approach to chemical warfare in order to reach agreement on biological warfare. Biological warfare is not a useful hostage or a useful lever. None of us can be sure how long it will take us to formulate new prohibitions on the possession of chemical weapons, but clearly that process will be extensive and difficult. We hope that in this Committee we can all face this fact honestly and that we shall not lose this chance for progress by doctrinaire insistence on a linkage between these two types of weapons. One thing is quite clear: we shall not advance more rapidly toward our goal of banning the possession of both chemical weapons and biological weapons by refraining for an indefinite period from banning disease as a weapon of war.

⁶*Health Aspects of Chemical and Biological Weapons: Report of a WHO Group of Consultants* (Geneva, 1970).

**Statement by the Soviet Representative (Roshchin) to the
Conference of the Committee on Disarmament: Revised Draft
Sea-Bed Treaty, April 23, 1970¹**

A revised draft treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and in the subsoil thereof is today submitted for consideration by the Committee on Disarmament.²

3. Discussion of the draft treaty in our Committee and in the General Assembly has convincingly demonstrated that great importance is attached throughout the world to excluding the vast expanse of the sea-bed and the ocean floor, which constitute two-thirds of the earth's surface, from the sphere of the nuclear arms race. The solution of this problem has now become a vital and urgent matter because of the spectacular scientific and technological discoveries which have made it possible to begin the practical exploitation of the sea-bed and the ocean floor. But in addition to the long-term possibilities of using the natural resources of the sea-bed and the ocean floor for the peaceful needs of mankind, a real danger has developed of this environment becoming the scene of a mounting arms race.

4. It is quite obvious that the emplacement by many States of military objects on the sea-bed and the ocean floor would greatly expand the sphere of the arms race and would at the same time create the possibility of local conflicts which might mark the beginning of a global conflict. At present the military use of the sea-bed and ocean floor has not yet been fully developed. But the situation may change in the very near future. Our task is to ensure that the opportunity is not missed, that all the necessary steps are taken to prevent the arms race from spreading to this vast area of our planet. It is easier to stop a process which has not yet begun than to reverse one that is already in progress.

5. The conclusion of a sea-bed treaty will be another important contribution to the solution of the problem of narrowing the scope of the arms race, particularly the nuclear arms race, of curbing it and bringing it to a complete halt. This new international agreement can and must become an important stage towards the next step, which will completely exclude the sea-bed and the ocean floor from the sphere of the arms race. It will help to create more favourable conditions for working out and reaching agreement on further measures designed to bring about the end of the arms race and disarmament. At the same time, the conclusion of such an agreement will be a necessary prerequisite for the development of international co-operation in the peaceful exploitation of the marine environment. It is for this reason that

¹ CCD/PV. 467, pp. 5-11.

² *Post*, pp. 185-188.

the draft treaty before us assumes such importance, as has been convincingly stated by delegations both in the Committee on Disarmament and in the General Assembly at its twenty-fourth session.

6. In resolution 2602 F(XXIV), the General Assembly welcomes the draft sea-bed treaty drafted in this Committee and emphasizes that

... the prevention of a nuclear arms race on the sea-bed and the ocean floor serves the interests of maintaining world peace, reducing international tensions and strengthening friendly relations among States.³

The General Assembly calls upon the Committee to complete its work on a draft treaty, taking into account the wishes expressed by States during its twenty-fourth session. As many delegations have pointed out in New York and here in this Committee, the conclusion of a sea-bed treaty is an important matter and work on the draft treaty should not be allowed to drag on over a long period.

7. In its present form, the draft treaty takes account of the wishes and proposals put forward by a large number of States in the Committee on Disarmament and at the last session of the General Assembly, both formally and during informal exchanges of views. We are fully justified in saying that all members of the Committee have taken part in the preparation of the draft treaty and that this document is the result of collective efforts. We hope that this will ensure universal acceptance and broad international support of the draft treaty by all States.

8. As you know, during the preparation of the draft submitted to the Committee on 30 October 1969,⁴ account was taken of proposals made by many States, including proposals on the following questions: participation by the Security Council in the verification of the implementation of the treaty; the convening of periodic conferences to review the operation of the treaty; the procedure for the adoption of amendments to the treaty, etc.

9. During the discussion of the draft treaty at the twenty-fourth session of the General Assembly and during the consultations with members of the Committee on Disarmament at the current session, additional suggestions were put forward regarding the inclusion of further amendments and more precise wording in the draft. In the light of these suggestions, the sponsors of the draft treaty, the USSR and the United States, have made a number of changes in the text. These changes relate to four major provisions of the treaty: control over its implementation, the area to which it is applicable, the relationship of the obligations assumed under the treaty to other international obligations of the States parties, and the relationship of the treaty to international agreements concerning the establishment of nuclear-free zones.

³ *Documents on Disarmament, 1969*, p. 715.

⁴ *Ibid.*, pp. 507-509.

10. With regard to the problem of control, it may be pointed out that the draft of 30 October 1969 proposed effective measures for verification of compliance with obligations under the treaty. These measures provided that such verification might be carried out by any State Party using its own means or with the assistance of any other State Party, and that States might refer to the Security Council any controversial matters that might arise during that process. That concept of control found support and sympathy both in this Committee and in the General Assembly. Many delegations, however, suggested that the verification procedure should be worked out more fully and put forward specific proposals to that end. The most detailed exposition of these proposals was contained⁵ in the working papers submitted by Canada,⁵ Brazil⁶ and Mexico.⁷

11. These proposals were taken into account in drafting the amended text of article III we are submitting today. In particular, this article provides not only for observation of the activities of other States Parties on the sea-bed and the ocean floor, but also for an effective investigation procedure, including inspections which may be carried out by agreement between the Parties in cases where serious doubts arise concerning compliance by a given Party to the treaty with the obligations it has assumed. The treaty also specifies that all countries concerned may participate in mutual consultations and verification arrangements.

12. It is highly significant that, under the new version of article III, States Parties undertake, before proceeding to a verification, not only to notify States Parties in the region where the investigation is to take place of their intentions, but also to invite their co-operation in clarifying the situation that has arisen. A separate provision of the article, paragraph 6, provides that a verification conducted pursuant to the treaty should be conducted with due regard for the sovereign or exclusive rights of a coastal State with respect to the natural resources of its continental shelf under international law.

13. The detailed verification procedure which has been worked out, coupled with the right accorded by article III to every Party to the treaty to refer to the Security Council the question of the activities of any State on the sea-bed giving rise to serious doubts which have not been removed by consultation and co-operation, constitute a clear, yet flexible system of control over fulfilment of the obligations assumed under the treaty. The article provides that the Security Council may, as a result of its consideration of cases where compliance with the obligations assumed under the treaty has been called into question, take action in accordance with the Charter of the United Nations.

⁵ *Ibid.*, pp. 481-482, 596-597.

⁶ *Ibid.*, pp. 445-447, 601-602.

⁷ A/C. 1/995.

14. In referring to verification of compliance with the treaty, we realize that cases may arise in practice in which one or other State Party to the treaty, for various political reasons connected with its relations with other countries and the international situation as a whole, will be unable to enter into the consultations provided for in article III of the draft treaty. We therefore think it should be made clear that the consultation among States Parties to the treaty, provided for in article III, paragraph 2, with a view to removing possible doubts regarding compliance with the treaty, is not of course a prerequisite for the exercise by States Parties of their right under paragraph 4 of the same article to refer the matter to the Security Council, in accordance with the provisions of the Charter of the United Nations, where there are serious grounds for doing so. Consequently, any State Party to the treaty may apply directly to the Security Council without resorting to consultations.

15. Thus, the proposals made in the statements and working papers of a number of States have been taken into account in preparing the present wording of article III. That is why the text of this article should be regarded as a synthesis of the views and positions of States on the problem of control over compliance with the obligations assumed under the treaty.

16. Another change made in the draft treaty concerns provisions relating to the definition of the area covered by the treaty, and more particularly the definition of the width of the coastal zone to which the prohibitions of the treaty will not apply. Article I of the former text of the draft treaty defined this zone as: "the maximum contiguous zone provided for in the 1958 Geneva Convention on the Territorial Sea and the Contiguous Zone" (*article I*). Since this Geneva Convention⁸ contains a provision stating that the contiguous zone "may not extend beyond twelve miles from the baseline from which the breadth of the territorial sea is measured" (article 24, paragraph 2), the width of the coastal zone referred to in the earlier draft sea-bed treaty is twelve miles.

17. General agreement was in fact reached in this Committee on the substance of the question of the twelve-mile zone. However, a number of delegations advocated the omission from article I of the draft treaty of the words "the maximum contiguous zone provided for in the 1958 Geneva Convention", beyond which the emplacement of weapons of mass destruction on the sea-bed and ocean floor is to be prohibited. It was also suggested that the provisions of article I, paragraph 2 regarding the undertakings of Parties to the treaty should be clarified so that the treaty clearly specified that the prohibition of the emplacement of nuclear weapons or other weapons of mass destruction did not

⁸ 15 UST 1606.

apply either to the twelve-mile sea-bed zone of the coastal State or to the sea-bed beneath its territorial waters. It was also pointed out that it would be desirable for article II to state directly that the outer limit of the sea-bed zone within which the coastal States have special rights is coterminous with the twelve-mile outer limit of the zone referred to in the 1958 Convention.

18. The above proposals were motivated by the fact that a number of countries are not Parties to the Geneva Convention on the Territorial Sea and the Contiguous Zone of 1958, and that the provisions of a sea-bed treaty should therefore be drafted in such a way that accession to the treaty does not affect the position of States with regard to that Convention. Proposals for the corresponding amendments to the wording of the article concerning the zone covered by the treaty were made by the representatives of Argentina, the United Arab Republic, Ethiopia, Pakistan and several other countries. As you know, the delegation of Argentina submitted a working paper at the twenty-fourth session of the General Assembly, setting out the proposals of a number of non-aligned States in a consolidated form.⁹

19. In order to reconcile the differences of opinion on this question, articles I and II of the draft sea-bed treaty laid before the Committee today by the Soviet Union and the United States include wording which defines the width of the sea-bed zone for the purposes of the treaty in accordance with the proposals made by Argentina, and we believe that the amended texts of these articles, as now submitted, will be acceptable to the participants in our negotiations.

20. The third group of changes designed to make the language of the treaty more precise concerns the problem of the relationship between the obligations assumed under this treaty and the position of States with respect to other existing international conventions and with respect to rights or claims related to waters off their coasts including continental shelves. The representatives of a number of States proposed that the provisions of article II, paragraph 2, of the draft treaty of 30 October 1969 should form a separate article. That paragraph of article II provided that nothing in the treaty should be interpreted as supporting or prejudicing the position of any State Party with respect to rights or claims which such State Party may assert, or with respect to recognition or non-recognition of rights or claims asserted by any other State, related to waters off its coasts, or to the sea-bed and the ocean floor.

21. This proposal has been taken into account and is now reflected in article IV of the revised draft treaty. Moreover, to meet the wish expressed by a number of States, the provisions of this article have been amplified to state that nothing in the treaty

⁹ *Documents on Disarmament, 1969, p. 704.*

shall be interpreted as supporting or prejudicing the position of any State Party with respect to existing international conventions, including the 1958 Convention on the Territorial Sea and the Contiguous Zone, or with respect to rights or claims related to continental shelves. We attach great importance to this article. In its previous statements, the Soviet delegation has repeatedly emphasized that the provisions of the sea-bed treaty, as is clear from the text, are solely designed to accomplish the purpose this treaty is intended to serve, namely, to prevent the extension to the sea-bed of the race with nuclear and other weapons of mass destruction. This treaty is not intended to settle numerous issues of maritime law, to confirm or annul obligations assumed by States under other international agreements, or to anticipate any future solutions in this field.

22. An important addition to the earlier text of the draft sea-bed treaty has been made on the proposal of Mexico and is contained in a new article VIII, which states that the provisions of the treaty shall in no way affect the obligations assumed by States Parties under international instruments establishing zones free from nuclear weapons.

23. These are, in general terms, the changes that have been made in the draft treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor.

24. We are now entering the final stage of the preparation of the sea-bed treaty. It is our view that all the conditions are now met for the final adoption of the draft treaty. Many delegations have emphasized in their statements that the draft treaty on the prohibition of the emplacement of weapons of mass destruction on the sea-bed and the ocean floor should be completed as soon as possible. Such statements have been made by the representatives of Czechoslovakia, Hungary, Japan, Mongolia, Pakistan, Argentina and other countries. Mr. Natorf, the Polish representative has said that the debate on this subject in this Committee

has demonstrated a large degree of mutual accommodation and compromise, and that is why we are confident that it will be possible to reach agreement on a draft treaty for the sea-bed in a relatively short time.¹⁰

25. We believe that the way is now open to the successful completion of our long and complex task, the purpose of which was to take a first step towards the complete demilitarization of the sea-bed and the ocean floor and the subsoil thereof. I trust that the draft treaty on the sea-bed and ocean floor which has been submitted today will meet with the Committee's wide support and approval and that we shall be able to submit it for the consideration of the General Assembly, in accordance with its resolution 2602 F(XXIV).

¹⁰ CCD/PV. 452, p. 10.

**Statement by the United States Representative (Leonard) to the
Conference of the Committee on Disarmament: Revised Draft
Sea-Bed Treaty, April 23, 1970¹**

One of the prime requirements for progress in negotiating effective and broadly-acceptable arms control agreements is a spirit of compromise and accommodation among all participants. I think the history of the treaty we are considering today illustrates that such a spirit has prevailed in this negotiation.

27. At the beginning of our spring session last year, the Soviet Union tabled a draft sea-bed treaty.² At the end of that session the United States proposed a very different draft.³ Members of the Committee made numerous recommendations for progress on this problem, which were taken into consideration during the long summer session when the United States and Soviet delegations engaged in intensive and at times difficult discussions in an attempt to reach agreement on a single draft that they could present jointly for the consideration of the Conference of the Committee on Disarmament. At our meeting on 7 October 1969 we were able to announce that we had achieved this objective.⁴

28. From the point of view of the United States, the draft treaty that was tabled on 7 October was satisfactory as a possible final text.⁵ It met what we considered the essential criteria of a sea-bed arms control agreement: it effectively prevented the only arms race we could foresee on the sea-bed; its provisions, in our view, were consistent with existing international law, and it assured compliance with the prohibitions of the treaty without interfering in legitimate sea-bed activities.

29. Some delegations in the Committee on Disarmament made it clear, however, that the 7 October draft did not reflect certain of their concerns with respect to the sea-bed problem. During the remaining weeks of October last year members of this Committee made numerous suggestions for changes in and amendments to the joint draft, and on 30 October the co-sponsors of the treaty presented a revised draft⁶ to the Committee which incorporated several of these proposals.

30. During the twenty-fourth session of the United Nations General Assembly, the 30 October draft was subjected to close scrutiny by the First Committee of the General Assembly. Members of the Committee on Disarmament played a leading role in the discussions in New York. Some delegations developed specific proposals for further treaty amendments to meet their

¹ CCD/PV. 467, pp. 12-16.

² *Documents on Disarmament, 1969*, pp. 112-113.

³ *Ibid.*, pp. 211-213.

⁴ *Ibid.*, pp. 475-481.

⁵ *Ibid.*, pp. 473-475.

⁶ *Ibid.*, pp. 507-509.

own outstanding concerns and also the concerns of other United Nations delegations. The work in New York, was, we believe, fruitful and worth while. It gave all of us an opportunity to evaluate our progress in the light of the comments of many other countries that had not participated in our work here in Geneva. The final outcome of this activity was a United Nations resolution which welcomed the submission of the draft treaty to the General Assembly and called upon the Committee on Disarmament to continue its work so that the text of a draft treaty could be submitted to the General Assembly for its consideration.⁷

31. The General Assembly resolution also requested that the Committee on Disarmament take into account the proposals and suggestions made during the twenty-fourth session, and the co-Chairmen, in the negotiations they have carried forward since the beginning of the current session of the Committee, have done so. They have now reached agreement on a second revised draft of the sea-bed treaty.⁸ The draft resulting from these negotiations is being circulated this morning, but as a result of the informal consultations conducted during the past week its basic provisions are familiar to members of the Committee.

32. Article I of the new draft is essentially that contained in working paper A/C.1/997 submitted by the delegation of Argentina in the First Committee of the General Assembly of the United Nations on 11 December.⁹ A few editorial changes have been made at the suggestion of various delegations, but the basic idea of the Argentine amendments, that the concept of a "sea-bed zone" should be used in place of the earlier references to the "maximum contiguous zone provided for in the 1958 Geneva Convention"¹⁰ remains, of course, the essential element of this new draft of article I. This concept is applicable only to this sea-bed treaty and is therefore not related to other legal questions of the law of the sea. The 1958 Geneva Convention is thus utilized in the new article II as an instrument in the solution of the difficult baseline problem. Moreover, the words "the twelve-mile outer limit" are used in article II in order to accommodate the points raised at various times by the delegations of Ethiopia, India, Morocco, Nigeria, Pakistan and the United Arab Republic about the desirability of including in the treaty such a specific reference to the width of the sea-bed zone.

33. The new article III contains all the suggestions of the working paper submitted by the delegation of Canada on 27 November in New York,¹¹ except for the references to international procedures and the good offices of the United Nations

⁷ *Ibid.*, p. 715.

⁸ *Infra.*

⁹ *Documents on Disarmament*, 1969, p. 704.

¹⁰ 15 UST 1606.

¹¹ *Documents on Disarmament*, 1969, pp. 596-597.

Secretary-General in paragraphs 3 and 5. There are three changes in the Canadian paper. The phrase "including the freedoms of the high seas", which appeared in the 7 October and 30 October drafts, has been reinserted at the end of paragraph 1. The United States considers the freedom to use the high seas to be an essential element in the effective verification of this treaty. In the last sentence of paragraph 3 the word "Party" has been deleted in the phrase "if the identity of the State Party" since if the State responsible for questionable activities on the sea-bed had not been identified there would be no way of knowing whether that State was a party to the sea-bed treaty. And in paragraph 4 the words "serious question", which appeared in the draft of 30 October, are reinserted in place of the words "reasonable doubt" since we believe this more accurately characterizes grounds for initiating Security Council consideration. The procedures provided for in article III do not, of course, prejudice or limit the right of any State to apply directly to the Security Council in accordance with the provisions of the Charter of the United Nations.

34. As recommended by the delegations of India, Morocco, Pakistan and the United Arab Republic, the disclaimer now appears as a separate article. This new article IV is exactly that contained in the Argentine working paper.

35. On 1 December 1969, the delegation of Mexico suggested in the First Committee of the United Nations that the sea-bed treaty include a new article regarding nuclear-free zones.¹² The first paragraph proposed by Mexico has been incorporated in the new draft as article VIII.

36. The other articles of the new draft contain minor editorial changes suggested by various delegations here and in New York.

37. I do not propose today to go into a more extensive explanation of the new draft since its key articles are the result of negotiations and consultations with which members of this Committee are already thoroughly acquainted. I look forward to further consultations with members of the Committee concerning any aspects of this draft about which they may have questions.

38. We realize that not all the suggestions and recommendations put forward in this Committee and in New York are to be found in the revised draft. I can say, however, that they have all received very careful study and consideration. One of these recommendations, the draft amendment submitted last year by the representative of Sweden,¹³ reflected concern about whether the draft of 7 October went far enough as a commitment to further negotiations on additional measures to prevent an arms race on the sea-bed. The United States believes that it did go far enough and that accordingly the present draft also goes far

¹² A/C.1/995.

¹³ *Documents on Disarmament*, 1969, p. 486.

enough. We are firmly convinced that the correct approach to this problem lies in adopting now a measure which is realistic in the light of the present state of technology and verification capabilities and in reviewing this measure later as those capabilities may change. Our commitment to this principle is clearly reflected in the third preambular paragraph and in the provision in article VI for a review conference.

39. I would urge members of this Committee to consider carefully the provisions of article VI. This provides that the treaty will be reviewed with a view to assuring that both: "the purposes of the preamble and the provisions of the treaty are being realized". Thus the charter for the review conference is very broad indeed. It ensures an opportunity to consider the effect of technological or other changes upon the operation of the treaty. And, of course, as I mentioned last October:

... if the parties commit themselves to review the treaty after a specified period of time—that is, five years after its entry into force—we shall eliminate the possibility that a review might be postponed or delayed indefinitely.¹⁴

40. In fashioning a treaty of this sort I think we must keep in mind that besides the need for compromise and accommodation, which we hope will be a guide for all participants, there is a need at some point to distinguish between what is essential to the basic objectives of the treaty and what may be desirable but not indispensable from the point of view of various States. For if we go too far in attempting to meet all desires we risk losing sight of the fundamental purpose which has led us to take up the task in the first place. We may also find that we are being pressed to accommodate positions which not only raise difficult questions but primarily relate not to arms control but to other issues being dealt with in other contexts. One of our principal concerns in this treaty, of course, has been precisely to avoid affecting issues beyond the scope of arms control.

41. The text as it now stands is not perfect. Every delegation would no doubt be able to draft aspects of it to reflect more adequately the interests and point of view of its own government. The text represents, however, a delicate and, it seems to us, a fair balance among the various interests represented in this Committee and in the international community generally. In getting the treaty ready for submission to the twenty-fifth General Assembly we should consider carefully whether further modifications are necessary if it is to do what it sets out to do, but we should keep in mind that the balance we have achieved can easily be impaired, to the detriment of the common purpose which we all share.

¹⁴ *Ibid.*, p. 513.

Revised American-Soviet Draft Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof, April 23, 1970¹

The States Parties to this Treaty,

Recognizing the common interest of mankind in the progress of the exploration and use of the seabed and the ocean floor for peaceful purposes,

Considering that the prevention of a nuclear arms race on the seabed and the ocean floor serves the interests of maintaining world peace, reduces international tensions, and strengthens friendly relations among States,

Convinced that this Treaty constitutes a step towards the exclusion of the seabed, the ocean floor and the subsoil thereof from the arms race, and determined to continue negotiations concerning further measures leading to this end,

Convinced that this Treaty constitutes a step towards a treaty on general and complete disarmament under strict and effective international control, and determined to continue negotiations to this end,

Convinced that this Treaty will further the purposes and principles of the Charter of the United Nations, in a manner consistent with the principles of international law and without infringing the freedoms of the high seas,

Have agreed as follows:

Article I

1. The States Parties to this Treaty undertake not to emplant or emplace on the seabed and the ocean floor and in the subsoil thereof beyond the outer limit of a seabed zone as defined in Article II any nuclear weapons or any other types of weapons of mass destruction as well as structures, launching installations or any other facilities specifically designed for storing, testing or using such weapons.

2. The undertakings of paragraph 1 of this Article shall also apply to the seabed zone referred to in the same paragraph, except that within such seabed zone, they shall not apply either to the coastal State or to the seabed beneath its territorial waters.

3. The States Parties to this Treaty undertake not to assist, encourage or induce any State to carry out activities referred to in paragraph 1 of this Article and not to participate in any other way in such actions.

¹CCD/269/Rev. 2, Apr. 23, 1970. The draft treaty was submitted to the Conference of the Committee on Disarmament.

Article II

For the purpose of this Treaty the outer limit of the seabed zone referred to in Article I shall be coterminous with the twelve-mile outer limit of the zone referred to in Part I' of the Convention of the Territorial Sea and the Contiguous Zone, signed in Geneva on 29 April 1958² and shall be measured in accordance with the provisions of Part I, Section II, of that Convention and in accordance with international law.

Article III

1. In order to promote the objectives of and ensure compliance with the provisions of this Treaty, each State Party to the Treaty shall have the right to verify through observation the activities of other States Parties to the Treaty on the seabed and the ocean floor and in the subsoil thereof beyond the zone referred to in Article I, provided that observation does not interfere with such activities or otherwise infringe rights recognized under international law, including the freedoms of the high seas.

2. If after such observation reasonable doubts remain concerning the fulfilment of the obligations assumed under the Treaty, the State Party having such doubts and the State Party that is responsible for the activities giving rise to the doubts shall consult with a view to removing the doubts and, if the doubts persist, shall co-operate on such further procedures for verification, as may be agreed, including appropriate inspection of objects, structures, installations or other facilities that reasonably may be expected to be of a kind described in Article I. Parties in the region of the activities, and any other Party so requesting, shall be notified of, and may participate in, such consultation and co-operation.

3. If the State responsible for the activities giving rise to the reasonable doubts is not identifiable by observation of the object, structure, installation or other facility, the State Party having such doubts shall notify and make appropriate inquiries of States Parties in the region of the activities and of any other State Party. If it is ascertained through these inquiries that a particular State Party is responsible for the activities, that State Party shall consult and co-operate with other Parties as provided in paragraph 2 of this Article. If the identity of the State responsible for the activities cannot be ascertained through these inquiries, then further verification procedures, including inspection, may be undertaken by the inquiring State Party, which shall invite the participation of the Parties in the region and of any other Party desiring to co-operate.

4. If consultation and co-operation pursuant to paragraphs 2 and 3 of this Article have not removed the doubts concerning the

² 15 UST 1606.

activities and there remains a serious question concerning fulfillment of the obligations assumed under this Treaty, a State Party may, in accordance with the provisions of the Charter of the United Nations, refer the matter to the Security Council, which may take action in accordance with the Charter.

5. Verification pursuant to this Article may be undertaken by any State Party using its own means, or with the full or partial assistance of any other State Party.

6. All verification activities conducted pursuant to this Treaty shall be conducted with due regard for the sovereign or exclusive rights of a coastal State with respect to the natural resources of its continental shelf under international law.

Article IV

Nothing in this Treaty shall be interpreted as supporting or prejudicing the position of any State Party with respect to existing international conventions, including the 1958 Convention on the Territorial Sea and the Contiguous Zone, or with respect to rights or claims which such State Party may assert, or with respect to recognition or non-recognition of rights or claims asserted by any other State, related to waters off its coast; including inter alia territorial seas and contiguous zones, or to the seabed and the ocean floor, including continental shelves.

Article V

Any State Party may propose amendments to this Treaty. Amendments shall enter into force for each State Party accepting the amendments upon their acceptance by a majority of the States Parties to the Treaty and thereafter for each remaining State Party on the date of acceptance by it.

Article VI

Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes of the preamble and the provisions of the Treaty are being realized. Such review shall take into account any relevant technological developments. The review conference shall determine in accordance with the views of a majority of those Parties attending whether and when an additional review conference shall be convened.

Article VII

Each State Party to this Treaty shall in exercising its national sovereignty have the right to withdraw from this Treaty if it decides that extraordinary events related to the subject matter of this Treaty have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other States Parties to

the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it considers to have jeopardized its supreme interests.

Article VIII

The provisions of this Treaty shall in no way affect the obligations assumed by States Parties to the Treaty under international instruments establishing zones free from nuclear weapons.

Article IX

1. This Treaty shall be open for signature to all States. Any State which does not sign the Treaty before its entry into force in accordance with paragraph 3 of this Article may accede to it at any time.

2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and of accession shall be deposited with the Governments of _____ which are hereby designated the Depositary Governments.

3. This Treaty shall enter into force after the deposit of instruments of ratification by twenty-two Governments, including the Governments designated as Depositary Governments of this Treaty.

4. For States whose instruments of ratification or accession are deposited after the entry into force of this Treaty it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The Depositary Governments shall promptly inform the Governments of all signatory and acceding States of the date of each signature, of the date of deposit of each instrument of ratification or of accession, of the date of the entry into force of this Treaty, and of the receipt of other notices.

6. This Treaty shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

Article X

This Treaty, the Chinese, English, French, Russian and Spanish texts of which are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Treaty shall be transmitted by the Depositary Governments to the Governments of the States signatory and acceding thereto.

In witness whereof the undersigned, being duly authorized thereto, have signed this Treaty

Done in _____ at _____
this _____ day of _____, _____.

Statement by the United States Representative (Leonard) to the Conference of the Committee on Disarmament: Chemical and Biological Weapons, April 28, 1970¹

The United States delegation found the informal meeting on chemical and bacteriological (biological) weapons on Wednesday, 22 April, extremely valuable, contributing significantly to our understanding of the issues before us. In the course of the session the distinguished representative of Sweden presented a series of questions which it was not possible at that time to discuss in detail. We believe the Committee should, as occasion affords, continue to consider those and other pertinent questions, and accordingly I would like to take up two of them very briefly today.

11. One of the questions raised by the Swedish delegation related to the possible inclusion of toxins in the United Kingdom draft convention on biological weapons.² Lord Chalfont indicated at that time that the United Kingdom would be prepared to consider this.

12. As the United States delegation explained in the working paper which we circulated on 21 April,³ when toxins are produced within the human body by living bacteria those toxins cause the symptoms which are characteristic of many bacterial diseases. Toxins could also be prepared and used as weapons. Those toxin agents would then create effects which could not be distinguished from those created by toxins produced by bacteria within the human body. Furthermore, because those toxins are produced from bacteria, facilities for producing toxin agents would be very similar to facilities for producing biological warfare agents. Therefore, while toxins are chemical substances, their characteristics from the viewpoint of arms control are so closely related to those of biological agents that the treatment of these two categories in the same convention seems not only appropriate but highly desirable.

13. We believe this could be simply and effectively done by adding to article I of the United Kingdom draft convention, after the reference to "microbial or other biological agents", the words "or toxins", making in the remainder of the draft whatever modifications would be required for purposes of consistency and clarity. In view of the obvious significance of enlarging the scope of the United Kingdom convention in this way, we trust that the governments represented here will give this matter most serious consideration during our spring recess.

14. While we find many reasons—such as their similar production methods and their effects—to prohibit toxins and biological warfare agents in the same agreement, subject to the

¹ CCD/PV. 468, pp. 7-8.

² *Documents on Disarmament*, 1969, pp. 431 ff.

³ *Ante*, pp. 168-170.

same control measures, we do not see the same logic in the suggestion that these agents should be prohibited together with those chemical agents which do not have any civilian application. The fact that many potential chemical warfare agents also have widespread civilian uses seriously complicates our task. But it is not the civilian uses of chemical agents or the absence of civilian uses that should be the determining factor in drafting measures of prohibition and control. Rather, it is the military uses, proven or potential, which must be the determining factor for our work.

15. Turning to another of Mrs. Myrdal's questions of 22 April—a point which she had alluded to earlier in her statement of 9 April⁴—I would like to comment briefly on the question of openness and reporting as a basis for verification. Open information and established procedures for reporting to an international organization could be important elements in a verification system for chemical warfare agents. However, openness and reporting and other measures for self-policing are not sufficient in themselves to form a verification system for a prohibition on production and stockpiling of chemical weapons. As we pointed out at last week's informal meeting, open information techniques, such as economic data monitoring, are not sufficient to give adequate assurance of non-production. Even with all the data available regarding United States production, research by the Arms Control and Disarmament Agency has indicated that economic data monitoring at best could serve as an adjunct to on-site technical inspection, some measure of which clearly appears to be required for effective verification of a chemical warfare ban.

Statement by the British Representative (Chalfont) to the Conference of the Committee on Disarmament: Chemical and Biological Weapons, April 30, 1970¹

My remarks this morning at this last meeting of the spring session will be very brief. I should like to say a word about the sea-bed treaty and then make one or two points about chemical and biological weapons.

3. Perhaps before I do that I may say that my Government and my delegation are always aware that our real aim here is not simply collateral measures of disarmament but general and complete disarmament. We always bear that in mind and for that reason I am extremely happy and encouraged to see that there is a great deal of work being done behind the scenes on the question of general and complete disarmament, and it is encouraging to see how ideas on that are now being formu-

⁴ *Ante*, pp. 136 ff.

¹ CCD/PV. 469, pp. 5-11.

lated. I for one look forward very much to seeing how that develops when we return here after the recess.

4. On the question of the sea-bed, like those of my colleagues who spoke last Tuesday I welcome the tabling by the co-Chairmen of the revised draft sea-bed treaty on 23 April.² In my view it is a great improvement on the draft tabled on 30 October 1969.³ We are particularly pleased to see that the co-Chairmen have been able to take account of so many of the suggestions which have been made by delegations both here and in New York. The Argentine amendment⁴ has been adopted virtually as tabled. Most of the Canadian amendment on verification⁵ and most of the Mexican amendment on nuclear-free zones⁶ have also been included.

5. Of course, we cannot pretend that we are completely happy with all the aspects of the new text. It is a compromise and necessarily imperfect from the point of view of any individual delegation. Nevertheless we hope that it will now be possible to reach general agreement on a sea-bed treaty to submit to the twenty-fifth session of the United Nations General Assembly.

6. Turning now to chemical and biological weapons, the Committee goes into recess with a number of new proposals to think about and if we take this opportunity to assess them we may be ready when we come back here to tackle the next stage of negotiations on this difficult and important problem. I hope that we can all do this. My own Government at least is considering on their merits all the suggestions that we now have before us. Perhaps I might also mention that during our recess I hope to visit the countries of a number of delegations represented here and to have the opportunity of talking with governments about some of these problems.

7. I should like now to say a few words about toxins, and then to make four separate though related points on the complex problem of verification.

8. It has been suggested by the representatives of Sweden and the United States that the United Kingdom draft convention on biological warfare⁷ should be amended to cover toxins explicitly. In the Secretary-General's report on chemical and biological weapons these toxins are defined as "biologically produced chemical substances which are very highly toxic and may act by ingestion or inhalation".⁸ These toxins, although they are lethal and of biological origin, cannot, like other biological agents, reproduce themselves, so their effects cannot

² *Ante*, pp. 185-188.

³ *Documents on Disarmament*, 1969, pp. 507-509.

⁴ *Ibid.*, p. 704.

⁵ *Ibid.*, pp. 481-482, 596-597.

⁶ A/C.1/995.

⁷ *Documents on Disarmament*, 1969, pp. 431 ff.

⁸ *Ibid.*, p. 278.

be passed on from man to man. Therefore a potential user of toxins as a war agent does not run the risk that the effects of his own attack might rebound on him through a biological chain reaction without his adversary even having to retaliate. This is not a negligible advantage of the toxin as a war agent, and even so it is not all. The operational advantages of toxins as offensive agents are matched by the attraction, if I may use that word, of a production process that is less complicated than that required even for nerve agents, whose toxicity, of course, they very greatly exceed.

9. The report of the World Health Organization⁹, discussing the properties of one of these toxins, a substance called ricin, points out that a nation that lacked the capability to manufacture a nerve gas might well be attracted by the possibilities of such a toxin as ricin (p.41). The concern that is felt by members of this Committee about toxins is reinforced by independent studies. For example the draft report by the Stockholm International Peace Research Institute on chemical and biological warfare¹⁰ estimates that the lethal dose in man of botulinal toxins is as little as .001 mlgms. And, as the World Health Organization report points out:

Cultivation of the bacterium...and purification of the neurotoxic proteins extractable from the culture are straightforward processes and make it possible to produce toxins on a fairly large scale in bacteriological laboratories.¹¹

As a final quotation in regard to the use of toxins, may I cite the same report and its conclusion that the

...difficulties are probably not insurmountable and, with continued research on this problem, their dissemination as aerosols or through communal water supplies could become feasible, if it is not so already.¹²

I think those words, and particularly the last six—"if it is not so already"—are very chilling. They lead me to wonder, as I have said in this Committee before, whether we can really afford the luxury of delaying any longer agreement on biological weapons, including toxins.

10. We have always considered, in fact, that the United Kingdom draft convention would effectively prohibit the production and acquisition of toxins, but I would like to say right away that the convention certainly should cover toxins, and should cover them specifically. They are dangerous agents, in general more toxic even than any of the known nerve gases. If it would help to clarify the scope of our draft we would certainly agree to an amendment. The wording suggested by Mr. Leonard in his speech on 28 April¹³ seems to me to do

⁹ World Health Organization, *Health Aspects of Chemical and Biological Weapons: Report of a WHO Group of Consultants* (Geneva, 1970).

¹⁰ Stockholm International Peace Research Institute, *The Problem of Chemical and Biological Warfare* (prov. ed., Stockholm, 1970).

¹¹ *Op. cit.*, p. 41.

¹² *Op. cit.*, p. 43.

¹³ *Supra*.

what is required. During the recess we shall be working on this, and in the meantime of course I shall welcome any suggestions which any of my colleagues around this table may wish to put forward.

11. May I turn now to the question of verification. Some of what I have to say this morning I have already said at our informal meeting last week, but I believe it is worth putting on the record. I do not pretend that verification is the whole problem, or the only problem; it is one element among several which we must consider; but to my mind at least it is the most difficult of the problems to solve.

12. On this question of verification I would like to make, as simply as I can, four points.

13. First of all, there has been some debate in the Committee as to whether verification is a political or a technical problem. Certainly the degree of effective verification that anyone can accept without causing instability is a matter for political decision, or perhaps one might say more accurately for politico-military decision. But before we can decide on what represents an adequate level of certainty in a particular case, obviously we must know what reliance we can place on the technical methods of verification that are available to us. Their availability in turn depends on techniques and on the political circumstances which govern their acceptability by all parties concerned, and of course one must take into account their cost as well. So I think on this first point we might do more justice to the argument and to the interdependence of technical and political considerations if we framed the question in a slightly different way, and asked ourselves what are the technical possibilities for verification within the existing political constraints. I think that if we asked ourselves that question we might arrive at a more useful answer.

14. The second point I want to make concerns the interests of the smaller Powers. I think that some of us, and perhaps reasonably enough in view of the arms control agreements so far concluded, tend to dwell on verification problems as being problems between the two super-Powers, or at any rate between the super-Powers and their allies on either side. Confidence, of course, is what verification is all about, and I am sure I speak for all of us here when I say that we welcome the signs of increasing confidence between the two super-Powers, and this I think has been shown by the businesslike atmosphere in which the Strategic Arms Limitation Talks (SALT) have recently opened in Vienna. Even so, any convention, whether between large States or small, must depend on the degree of confidence that it can inspire amongst all the parties to the convention. Chemical and biological weapons, in particular, may be relatively more dangerous for smaller countries than for the larger ones with more comprehensive and sophisticated weapons of deterrence—and

indeed, for that matter, of defence as well. I think that must be obvious to everyone. For this reason I must say that I cannot agree with the approach to this subject contained in the recent draft report of SIPRI on chemical and biological warfare, when in Part IV it examines the technical possibilities for verification. In the section on identification of chemical warfare agent-producing plants, the report says:

It is not worth devoting much attention here to chemical warfare agents less toxic than the nerve gases, even though in some parts of the world such agents could be as militarily significant as the nerve gases are to industrially developed countries.¹⁴

15. This seems to me far too important a consideration to dismiss as lightly as that. If we look at the consideration of geographical size alone, a smaller country is obviously vulnerable to effective attack from a quite small and unsophisticated offensive capability. And then again, such a small country would probably lack adequate defensive capacity, whether active or passive. Again, an offensive capability of this kind in a neighbouring country would be harder to detect. Fewer technical aids might be available, and the economic effect of diverting trained and experienced personnel and resources to methods of detection and verification would obviously be more marked in a small country than in a larger and richer one. It seems to me that any system of verification for an agreement on these weapons must take all these factors into account. We are not dealing here with nuclear weapons and with vast sophisticated delivery systems; we are dealing with weapons which can be produced in small quantities by almost anyone; in other words, they bear directly on the security of every party to the agreement.

16. For my third point may I say a few words about the Swedish and Yugoslav proposals on verification. Mr. Božinovic, in his speech on 16 April, spoke of lessening mistrust "by ever greater openness, and therefore by some kind of control."¹⁵ He considered that the lack of a certain degree of control might make the achievement of agreement impossible or, if agreement were achieved, make it unstable. I agree with these propositions, and I agree also with what Mrs. Myrdal said about the two basic principles for creating mutual trust—the principle of open information and the principle of internationalization.¹⁶ But I am bound to say that I find it difficult to follow exactly the Swedish and Yugoslav reasoning when they deal with the application of these principles of openness and internationalization. The world is, for better or worse, divided into societies which have different degrees of openness. We do not start from the same base in all societies, and openness is

¹⁴ *Op. cit.*, pt. IV, p. 30.

¹⁵ CCD/PV. 465, pp. 14-15.

¹⁶ See *ante*, pp. 135-140.

not really something that can just be written into a treaty unless its preconditions exist in all the States which may adhere to that treaty, namely the freedoms of publication and expression.

17. Then again, when discussing the sort of internationalization proposed by Mrs. Myrdal I think we must, if we look at this question honestly and objectively, admit that not all countries welcome the practice of "international good offices". So it seems to me that the Swedish and Yugoslav proposals presuppose conditions and political attitudes which simply do not exist universally; and I have to say that to that extent they are not, in my view, as yet at any rate realistic proposals. The draft presented in New York last year by the Soviet Union and its allies,¹⁷ by contrast, does at least take realistic account of what is possible in the societies of its author; but as a result of this it seems to me that it does not provide adequately for measures which would deter would-be violators of that treaty—at least measures which would be acceptable globally.

18. I come to my last point, which I developed last week in our informal talks. I think it is a most important point and I put it to my colleagues around the table as a real question, not as a debating point, in the hope that when we return we will be able to get the point clarified. It concerns the attitudes of countries represented here to the use of chemical and biological weapons, and perhaps I could take a few minutes of the time of the Committee to explain exactly what I mean.

19. I have referred today to the reports on chemical and biological weapons and the effects of their possible use in war, reports prepared by the Secretary-General of the United Nations and the Group of Consultants of the World Health Organization. Both of those reports, I think, have contributed considerably to a wider understanding of the technical characteristics of the weapons. We know quite a lot about those weapons, what they can do, what their effects might be, but what I do not have, what is missing—in my own mind at any rate—is an understanding of everybody's attitude towards their use, everybody's policy about their use in war. The position of my own Government is clear, I think, from our interpretation of and clearly stated reservations on the 1925 Geneva Protocol.¹⁸ And, as I said in my intervention on 7 April when speaking about biological weapons: "We have never had any biological weapons; we have none now and we have no intention of acquiring any."¹⁹ Then again, under our proposed convention on biological warfare all States would renounce all use, even in retaliation, of biological methods of warfare. So I

¹⁷ *Documents on Disarmament*, 1969, pp. 455-457.

¹⁸ *Ibid.*, pp. 764-765.

¹⁹ CCD/PV. 462, p. 7.

think that whatever may be the views about the attitude of my Government at least it is a clear attitude, there is no ambiguity about it. There seems to me, however, to be less clarity, and indeed some real ambiguity, about the position of some other countries. By that I mean that at the time of signing the 1925 Geneva Protocol some States, like my own, reserved the right to retaliate, to use these agents in retaliation, and so far as I know those reservations have never been withdrawn.

20. I think it is relevant to say in that context that what I call the Soviet draft treaty—and I think everyone knows which one I am referring to—makes no provision at all for banning the use of chemical and biological weapons; consequently it does not take us beyond the commitments in the Geneva Protocol. There is another point, too, about the Soviet draft treaty: it provides only that weapons, and not chemical and biological agents at all or the components of weapons, would be abolished—only the weapons themselves. It seems to me, and as I say I am not making a debating point but asking for information, that there is a considerable degree of ambiguity here and I should welcome clarification. If certain countries really do want to retain a retaliatory capability in the field of chemical and biological warfare under the terms of any new agreement then we should know that, because it will inevitably affect the question of verification of production and stockpiling since, of course, if there is to be a retaliatory capability then there must be stockpiles of weapons components. And we can hardly assess the degree of verification that we shall need unless there is some uniformity and clarity of intention as to the use of these weapons.

21. I should like, therefore, at this formal meeting to ask all delegations to consider that question and to clarify their positions.

22. May I in this context take the opportunity—and again this is a repetition of something I said last week—to refute any suggestion that we, in our attitude to chemical and biological warfare and the control of it, are laying down some kind of ultimatum; that we are saying in effect “If we cannot get an agreement on biological warfare alone then we will not have any agreement at all”. That is not what we are saying.

23. One delegation has asked whether we really do intend to ban chemical and biological weapons—both categories. Let me reply by saying that what we want is to see the earliest possible agreement on the elimination of the use of disease as a method of warfare while at the same time the obvious problems that stand in the way of an agreement on chemical weapons are tackled realistically. Indeed I think it would be more relevant if the question that is sometimes asked of me were to be asked the other way round, and I should like to

put it now: is it the view of any delegation here that if it becomes clear that we cannot have a treaty covering chemical and biological warfare together it is better to have no treaty at all? I cannot believe that this is really what any of us wants but I very much hope that the position will become clearer when we resume our negotiations in the summer.

**Statement by the Soviet Representative (Roshchin) to the
Conference of the Committee on Disarmament, April 30, 1970¹**

This meeting completes the work of the spring session of the Committee on Disarmament. We should therefore like to sum up the results of our work and try and look into the future to determine, at least in general terms, the possible direction of our further negotiations on disarmament questions.

54. In its statement on 17 February the Soviet delegation referred to three problems which ought to become the main subject of discussion in this Committee.² They were the complete prohibition of chemical and bacteriological weapons, the reaching of agreement on a draft seabed treaty, and general and complete disarmament. We would point out today that it is on these very problems that attention has been focussed during the session now drawing to a close.

55. Of these problems, that of the complete prohibition of chemical and bacteriological weapons, has received the fullest attention during the session—an indication of its urgency. We have already stated that the Committee has the necessary basis for its solution. The draft international convention on this question proposed by nine socialist countries³ provides an answer to the problem before us—the complete prohibition of these weapons. The proposal made on 14 April by Hungary, Mongolia and Poland⁴ that this draft convention should be strengthened by additional safeguards of compliance with its provisions was evidence of the constructive approach adopted by the sponsors of the draft convention to the solution of the problem of excluding chemical and bacteriological weapons from military arsenals.

56. Unfortunately, no progress towards agreement on a draft convention on the complete prohibition of chemical and bacteriological weapons has proved possible during this session of the Committee. This is due to the fact that some members of the Committee have not shown themselves ready to agree to the immediate and simultaneous prohibition of the production and stockpiling of these types of weapon, although such a prohibition

¹ CCD/PV. 469, pp. 19-22.

² *Ante*, pp. 13-20.

³ *Documents on Disarmament*, 1969, pp. 455-457.

⁴ *Ante*, p. 140.

is a matter of urgency. The technical arguments advanced against this step and the attempts to justify the need for separate treatment of the prohibition of chemical and bacteriological weapons are not, in our view, well founded or conducive to a solution of the problem of their complete prohibition. On the contrary, this line taken by some participants in the Committee essentially involves the retention of one of these dangerous types of weapons—chemical weapons—in the military arsenals of States.

57. The scope of the prohibition provided for in the 1925 Geneva Protocol⁵ has also been brought up in the Committee. Some delegations have attempted to interpret this Protocol as though it did not prohibit such chemical substances as irritants and herbicides, whose use for military purposes is fraught with serious consequences for man and his environment. It may be noted with satisfaction that such attempts to undermine the effectiveness of the Geneva Protocol did not meet with a favourable response in the Committee. The overwhelming majority of its members proceed from the assumption that the 1925 Geneva Protocol prohibits the use in war of all chemical and bacteriological agents without exception, that this prohibition constitutes a generally recognized rule of international law and that this understanding should serve as a starting point for further measures with a view to the complete prohibition of chemical and bacteriological weapons.

58. Although no practical progress towards the solution of this problem has been made at this session, we do not consider that its discussion has been fruitless. The debate that has taken place has helped to clarify the views of members of the Committee on this problem and to establish where and why we differ. A start has thus been made on the specific consideration of the problem of the complete prohibition of chemical and bacteriological weapons.

59. Another favourable result of our discussion has been the condemnation of chemical and bacteriological weapons and the reaffirmation of the demand for their immediate and complete prohibition. This will undoubtedly contribute to the attainment of the Committee's objectives in regard to the prohibition of such weapons. For its part, the Soviet delegation will spare no effort to further the achievement of this goal on the basis of the approach we have repeatedly outlined in this Committee—the simultaneous prohibition of the development, production and stockpiling of chemical and bacteriological weapons under a single agreement.

60. Considerable attention has been paid during this past session of the Committee to the question of the non-emplacement of weapons of mass destruction on the seabed and the ocean floor. The submission to the Committee of a revised draft treaty on this

⁵ *Documents on Disarmament*, 1969, pp. 764-765.

question⁶ was an auspicious development. The new text incorporated proposals made by many States members of our Committee for the amplification and clarification of important provisions of the treaty, such as the scope of its application, verification procedures, etc.

61. We believe that the Committee will be able to submit a draft seabed treaty for the General Assembly's consideration so that it can then be opened for signature. The conclusion of such a treaty will mark the first step towards the complete demilitarization of the seabed and the ocean floor. Our task is to continue efforts to reach agreement on the complete exclusion of this vast area of our planet from the sphere of the arms race. This objective is stressed in the preamble to the draft treaty, according to which States parties to the treaty are determined to continue negotiations concerning further measures to demilitarize the seabed and the ocean floor. At the present time, it is important to ensure that the entry into force of this treaty is not delayed for reasons not directly connected with its aims and purposes.

62. In addition to discussing these problems, the Committee has given considerable attention during this session to the problem of general and complete disarmament. Members of the Committee have reacted favourably to the proposal that it should reactivate its efforts to reach agreement on this problem. The representatives of many countries have stressed the urgency of solving this cardinal problem and have urged the Committee to resume its consideration in a businesslike manner. Many delegations have advocated the submission to the Committee of proposals on this problem which would take into account the changes which have occurred in the field of disarmament since 1962, that is, since the submission of the Soviet draft treaty on general and complete disarmament⁷ and the corresponding United States proposals.⁸ A number of delegations have also emphasized their support for the view that agreement on general and complete disarmament can be reached only with the participation of the maximum number of militarily important States and, in particular, of all the nuclear Powers. The resumed discussion of proposals on general and complete disarmament must not, of course, lead to any slackening of efforts to achieve international agreements on collateral disarmament measures. That point has been stressed in the statements of a number of delegations.

63. During the Committee's debate on collateral measures, reference was made to the cessation of all nuclear-weapon tests, including underground tests. Advocating a positive solution to that problem, the Soviet Union has consistently stressed its readiness to reach immediate agreement on the prohibition of underground nuclear-weapon tests on the basis of the use of national means of

⁶ *Ante*, pp. 185-188.

⁷ *Documents on Disarmament, 1965*, pp. 77-102.

⁸ *Ibid.*, pp. 111-140.

detection to verify its observance. The present state of modern science and technology makes it possible to verify compliance with a test-ban agreement by national means, giving all States the assurance that the agreement is being carried out in good faith. Assertions regarding the need for international verification of compliance with an underground nuclear-weapon test ban are without foundation. Agreement on that problem depends upon a political decision.

64. In evaluating this session of the Committee on Disarmament, the Soviet delegation considers that the discussion has been very useful and businesslike. We hope that, as a result of the joint efforts of its members, the Committee will be in a position to submit to States drafts of new international agreements designed to slow down and arrest the arms race. In this respect, the Committee's forthcoming summer session will be particularly important, since it will take place on the eve of the twenty-fifth session of the United Nations General Assembly.

65. In conclusion, I should like to wish members of the Committee success in using the forthcoming recess for further study of the problems before our Committee. We should like also to associate ourselves with the expressions of satisfaction and gratitude to the Secretariat, the Deputy Special Representative of the Secretary-General and his colleagues for the excellent organization and servicing of this Committee.

**Statement by the United States Representative (Leonard) to the
Conference of the Committee on Disarmament, April 30, 1970¹**

Since we are concluding today the spring session of the Conference of the Committee on Disarmament I should like to comment quite briefly on the general course of our work this year. It seems to me that the Committee has grounds for satisfaction with its efforts during this past session and for confidence in the prospect for a successful summer session. We have made strides in analysing the problems of controlling chemical and biological weapons and we are, I believe, measurably closer to identifying the most effective way of going about such control. We have also produced a sea-bed treaty text² which is in effect the joint product of the work of many delegations over the past years, and which it should be possible to complete without serious difficulty in good time for the General Assembly.

67. As Mr. Roshchin and other speakers have noted, the question of controlling chemical and biological weapons has tended to dominate our meetings during these past two months. As we might expect in the early stages of analysing an arms

¹ CCD/PV. 469, pp. 22-25.

² *Antc.* pp. 185-188.

control problem, delegations have made a variety of suggestions for progress. Some quite wide differences of view among Committee members have been evident, but that is understandable in the light of the difficult problems we face in attempting to elaborate further controls on the use, development, production and stockpiling of chemical and biological weapons. What we are considering here is, for certain major countries at least, not simply a measure to prevent armament or an arms limitation measure but a true disarmament proposal. It has long been assumed that disarmament measures would be somewhat more difficult and complex to negotiate than measures which do not touch on important, already-existing weapons systems, and we should not be surprised or disheartened when that assumption turns out to be correct.

68. Despite the differences among us, and perhaps to some extent because of them, we have made good progress. We have deepened our knowledge about the technical aspects of the problems of chemical and biological weapons and we have gained a clearer understanding of the broad concerns underlying the approach of Committee members to that issue. We in the United States delegation have noted an increased awareness in the Committee of the particularly difficult problems posed by chemical weapons. As I have emphasized throughout this session, we share the desire of Committee members to continue to work vigorously towards a solution of those problems.

69. We have noted also that the general approach embodied in the United Kingdom draft convention,³ has not been seriously questioned as providing sound procedures for the control of biological weapons. There is an obvious and real difference of view as to the context in which those procedures should be put into effect—that is, whether they should be adopted independently of controls on chemical weapons or only in company with such controls—but so far as the procedures themselves are concerned they seem to be accepted as sound and reasonable by most delegations. The explicit extension of the coverage of the draft convention to include toxins which the United States proposed on 28 April⁴ would in our view strengthen the draft as an arms control measure, and we are gratified at the comment which Lord Chalfont made this morning that our suggestion as to how the United Kingdom draft convention might be modified seems to do what is required.⁵

70. With the negotiation and presentation to the Committee of a second revised joint draft prohibiting the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed we have taken a further important step towards preventing

³ *Documents on Disarmament*, 1969, pp. 431 ff.

⁴ *Ante*, pp. 189-190.

⁵ *Ante*, pp. 190-197.

an arms race in an area which man is just beginning to explore and develop. The United States delegation has noted, in the course of recent consultations with other delegations, that there is broad satisfaction with the progress reflected in the new draft. We are confident that when we reconvene on 16 June we will be able to move ahead on the sea-bed question expeditiously and in a constructive manner so that a draft treaty can be submitted to the General Assembly for its consideration. If we concentrate on the sea-bed treaty during the period immediately following the recess, perhaps devoting to it two or three of our first few meetings, we should be able to complete our work on this issue in good time. We could then move on to the other important issues with which we must deal during the summer.

71. Many delegations have already referred in their statements to General Assembly resolution 2602 E (XXIV)⁶ which requests us to work on general and complete disarmament and to report thereon to the twenty-fifth session of the General Assembly. I would expect that this will be one of our principal tasks when we reconvene.

72. As you know, the United States believes, on the basis of our experience in arms control and disarmament negotiations, that the best way to make progress toward the goal of general and complete disarmament is to concentrate on concrete and specific measures. But certainly the exercise called for in General Assembly resolution 2602 E (XXIV) can play a useful role in the rededication of our efforts to broader goals and in the identification of specific measures which will be the milestones on the path to those goals. Some delegations have already begun to give this question careful attention, and we are confident that the ideas which they have been developing, together with the thoughts that other Committee members may bring back after the recess, will be a positive contribution to our work this summer.

73. There are in addition several topics on which as yet this year we have hardly touched. One such topic—and a most important one—is the comprehensive test ban and the related and useful Canadian initiative embodied in General Assembly resolution 2604 A (XXIV) on seismic detection of underground events.⁷ We have before us also the proposal for a cut-off of the production of fissionable materials for weapons purposes. A significant modification to this proposal was put forward by the United States last year and the United States delegation continues to believe that the cut-off plan deserves careful consideration by the Committee.

74. It seems clear that if we are to deal fully and completely with all the complex questions we have before us and if we are to finish our work well in advance of the twenty-fifth anniversary

⁶ *Documents on Disarmament*, 1969, pp. 713-715.

⁷ *Ibid.*, pp. 719-722.

session of the General Assembly we will have to make good use of the forthcoming recess and be prepared to work at a brisk pace when we reconvene in June. I should like to mention in this regard that, if any members of the Committee find during the recess that specific questions have arisen about our work, the United States for its part would certainly be prepared to discuss those questions through diplomatic channels. We believe that consultations among members when the Conference of the Committee on Disarmament is not in session can help all of us in our preparations and thereby expedite our work when we return to Geneva.

75. Before leaving Geneva, I should like to thank the Acting Special Representative of the Secretary-General, Mr. Epstein, and the members of the United Nations staff who have been working here in the Palais, and particularly our interpreters, for their continued excellent performance in providing all of us with the efficient services necessary for our work.

**News Conference Remarks by Premier Kosygin
[Extracts], May 4, 1970^a**

Question by Izvestia Correspondent M. Ilyinsky.—How do you assess the possible influence of the present events in Cambodia on the state of affairs in Europe, in particular, on progress in questions of European security?

Answer.—It seems to us that, in the light of recent events, the necessity to take steps in Europe to strengthen European security is confirmed still more clearly. The Soviet government holds to its view on the necessity of convening an all-European conference that would serve to strengthen all-European security and thereby to strengthen security the world over.

Question by L. Loewe, Correspondent of the West German Radio Network Westdeutscher Rundfunk.—In the light of the aggression in Cambodia, is the Soviet government considering the possibility of breaking off the Soviet-American talks in Vienna?

Answer.—Our delegation went to Vienna with instructions from the Soviet government to conduct serious negotiations with the delegation of the United States on a highly important problem of interest to all the peoples of the world—the question of the limitation and reduction of strategic armaments. Of course, negotiations are built on trust, and at a time when agreements are being broken, when international documents are being treated in a high-handed manner, then of course, this puts us on our guard. I

^a *Current Digest of the Soviet Press*, vol. 22, no. 18 (June 2, 1970), p. 4.

must say that this action by the U.S.A. does not in the least strengthen trust between our two states, and without trust negotiations are very difficult.

**News Conference Remarks by President Nixon
[Extract], May 8, 1970⁹**

Q. Mr. President, in your Inaugural Address, you said that one of your goals was to bring us together in America. You said that you wanted to move us in international terms from an era of confrontation to an era of negotiation. You said you wanted to bring peace to Vietnam. During the past 2 weeks, it seems that we are farther than ever from those goals. How do you account for this apparent failure?

The President. Don't judge us too quickly. When it comes to negotiation, I would suggest that you recognize the fact that some very important talks are going forward on arms limitation with the Soviet Union. We are still far apart. But I will predict now that there will be an agreement. When the agreement comes it will have great significance. I say that having in mind the fact that we are far apart from the Soviet Union in our policy toward Southeast Asia, in our policy toward the Mideast; but I say that where the problem of arms is concerned, here is where our interests are together. The Soviet Union has just as great an interest as we have in seeing that there is some limitation on nuclear arms.

**Statement by Secretary of Defense Laird to the Senate Armed
Services Committee: Strategic Balance and Arms Limitation,
May 12, 1970¹**

Mr. Chairman and Members of the Committee:

Dr. Foster, Admiral Moorer and I appreciate the opportunity to discuss with this Committee key aspects of the strategic balance, and the relationship of United States strategic force programs to the Strategic Arms Limitation Talks (SALT) which we are conducting with the Soviet Union.

President Nixon, in his report to the Congress on U.S. Foreign Policy for the 1970's, characterized these talks as "the most important arms control negotiations this country has ever entered."²

⁹ *Weekly Compilation of Presidential Documents*, May 11, 1970, p. 620.

¹ *The Limitation of Strategic Arms: Hearings Before the Subcommittee on Strategic Arms Limitation Talks of the Committee on Armed Services, United States Senate, Ninety-first Congress, Second Session*, pt. II, pp. 105-110.

² *United States Foreign Policy for the 1970's: A New Strategy for Peace* (H. doc. 91-258, 91st Cong., 2d sess.), p. 137.

I want to emphasize that I, as Secretary of Defense, and our military leadership hope that SALT will be successful.

The President has stated the fundamental purpose of our strategic forces:

... The overriding purpose of our strategic posture is political and defensive: to deny other countries the ability to impose their will on the United States and its allies under the weight of strategic military superiority. We must insure that all potential aggressors see unacceptable risks in contemplating a nuclear attack, or nuclear blackmail, or acts which could escalate to strategic nuclear war, such as a Soviet conventional attack on Europe.³

This *purpose* is independent of SALT. One way to accomplish this purpose, however, is through SALT. The purpose of these talks is to determine whether it is possible to find an agreement—acceptable both to the Soviet Union and to the United States—which can improve the security of both countries, reduce the likelihood that nuclear war will occur, and reduce the portion of our national resources devoted to strategic weapons. We believe that it is possible to reach a historic agreement with the Soviet Union on the limitation of strategic arms. We believe such an agreement should be acceptable to the Soviet Union provided the Soviets do, in fact, share our objective of deterrence.

It is my responsibility as Secretary of Defense to recommend those programs that are deemed appropriate for preserving national security. In formulating these recommendations and in presenting our programs to Congress, we have outlined the rationale underlying the strategic programs proposed in the fiscal year 1971 budget.

As I noted in my Defense Report, and have reiterated elsewhere, we believe that today we do have sufficient forces for deterrence. However, we are very much disturbed by what we have observed about the character and rate of buildup of Soviet strategic forces. Thus, our concern is not about today, or even next year. Our concern is about what the future may bring.

Let me summarize briefly what has been happening in the past several years in the changing relationship between U.S. and Soviet strategic forces and, in particular, the accelerated momentum that the Soviets have achieved since 1965.

In 1965, the Soviet Union had some 220 older-type missile launchers somewhat similar to the 54 TITANs we had. Today, the situation with respect to this type of missile is about the same.

In 1965, the Soviet Union had *no* small ICBM launchers comparable to our MINUTEMAN force, for which we had established a force goal of 1,000 launchers. Today, the Soviet Union has over 800 operational launchers similar to MINUTEMAN, and the Soviets could have in excess of 1,000 launchers within the next two years.

³ *Ante*, p. 22.

In 1965, there were no operational launchers for the large Soviet SS-9 missile for which the United States has no counterpart: today, there are some 220 operational with at least 60 more under construction, and testing of a multiple re-entry vehicle—the triplet version—continues.

In 1965, neither the Soviet Union nor the United States had a depressed trajectory ICBM or a Fractional Orbital Bombardment System. Today, the Soviets have tested both configurations and could have an operational version already deployed. We have nothing like that under development.

Since 1965, the Soviet nuclear-propelled ballistic missile submarine force has grown rapidly from about 25 missile launchers to over 200. Two years from now, some 400-500 "POLARIS-type" missile launchers should be operational, and by 1974-75 this force could exceed the constant U.S. force of 656 SLBM launchers.

While the Soviet heavy bomber and tanker force has remained relatively constant at about 200 in the past five years, the U.S. force of heavy bombers has declined by over 200 giving us a total of about 550 heavy bombers.

Today, we believe that 64 Moscow ABM launchers are operational. In addition, testing for new and/or improved ABM systems continues, while several of the large surveillance radars, that have an important early warning and tracking function in the Soviet ABM weapons system, are already deployed. The United States has no operational ABM components in place. We have reoriented and slowed down the deployment of the ABM system authorized by Congress in 1967—then SENTINEL, now SAFE-GUARD.

What these facts show is that the Soviet Union, in the past five years, has multiplied its strategic offensive missile launchers from around 300 to about 1,500, a five-fold increase. In the heavy bomber area, the Soviets still have about the same number that they had in 1965—200, of which 50 are configured as tankers.

The United States, by contrast, has made no increase in the force level that was established around 1965 for strategic offensive missile launchers—1710—and has actually reduced its heavy bomber force in this period by more than 200—from 780 to about 550.

In terms of total force megatonnage, the Soviet Union achieved a four-fold increase during this period. In contrast, the United States has reduced its total force megatonnage by more than 40 percent.

We are concerned about the future because of the momentum in this Soviet buildup. The rapid Soviet buildup in the past five years has reached the point where there is reason to wonder what the Soviet goal is. It also raises a serious question in our minds about the future adequacy of our forces. Advances in Soviet deployments and technology could threaten the survivability of our ICBMs and bombers.

Our concern is based on the fact that our restraint in weapons deployments during the past five years, and the Soviet buildup in that same period have led to a current situation where we are, in essence, at a crossover point in the strategic balance. What gives this concern urgency is the momentum behind Soviet deployments and developments in major strategic systems that could carry them well beyond the crossover point in a short period of time, unless we take major offsetting actions.

In planning our forces, we also must recognize that the recent launching of a satellite has reinforced our judgment on the potential capability of Communist China's ICBM technology.

In considering whether our forces will be adequate, we cannot assume—no matter how high our hopes—that a SALT agreement will be reached, nor can we know what its provisions might be.

At the same time, we also want to insure that we do not complicate SALT by our own actions.

As President Nixon has said, all U.S. systems are subject to negotiation. But it is even more important for all of us to keep in mind the fact that we do not yet have an agreement that preserves our security.

The problem is simple to formulate, but difficult to solve: we must keep open options that would be appropriate either if an agreement is reached, or if there is no agreement at all. In other words, we must preserve flexibility on strategic programs for any possible outcome:

(1) For those programs that will still be required even if there is an agreement.

(2) For those programs which we would need relatively soon if agreement is not reached, recognizing that we can stop or modify these programs if agreement is reached. And—

(3) For the research necessary for programs that we might need in the future, regardless of the outcome of SALT.

We have been guided by these considerations in formulating our programs for the forthcoming year.

Most of the recent discussion has focused on our recommendations to proceed during these talks with additional minimal deployment of the SAFEGUARD Anti-Ballistic Missile program as well as deployment of the Multiple Independently-targetable Re-entry Vehicles (MIRVs) for MINUTEMAN and POLARIS which were previously approved and funded by the Congress.

There are two overriding reasons for our recommending these programs. One concerns the preservation of our deterrent. The other involves our negotiating position in Vienna. Let me say a few words about this latter issue first.

Much argument has been put forward that we should stop the previously scheduled MIRV deployments and defer additional SAFEGUARD deployment at this time, in order to enhance the prospect for a successful agreement.

I do not find this proposal inconsistent with the *spirit* of strategic arms limitation—but I do believe that it is inconsistent with the *purpose* of the arms limitation *talks*, which is to sit down at the table with the Soviet Union and work out an agreement that provides essential security and is acceptable to both sides.

Were we to forego deployment of the programs deemed necessary for the preservation of our deterrent posture in the absence of a SALT agreement, I believe we would convey to the Soviets the impression that their strategic buildup is tolerable—when, in fact, it is a matter of great and growing concern. It would suggest to them that we are prepared to postpone unilaterally and indefinitely these programs, while they continue their deployments with the momentum I have just described.

Such a course of action could also encourage the Soviet Union to maintain, and perhaps even accelerate, the pace of those programs. It is apparent that our restraint in not going beyond the level of missile launchers decided upon five years ago has not caused the tempo of Soviet strategic deployments to slacken.

It is essential to the conclusion of a mutually acceptable and meaningful agreement that the Soviets be willing to constrain the offensive deployments that could threaten our deterrent. If we were to refrain now from moving to protect our deterrent, the Soviet Union would have achieved a one-sided arms control limitation without agreeing to any constraints on its own forces. I believe that such a prospect would be a most serious reverse incentive to the Soviets to negotiate a meaningful agreement.

It has been suggested that, as an alternative, we should propose to the Soviet Union an immediate cessation of MIRV testing and a halt to the deployment of MIRVs and other strategic systems. Virtually everyone endorsing this view has agreed that adequate verification should be provided. But I would point out that this proposal raises such complex questions that negotiating it could be as complicated as the negotiation of a durable and comprehensive agreement.

Turning now to the second reason for proceeding with the modified SAFEGUARD program and the deployment of MIRVs, some have argued that the United States and the Soviet Union both possess an adequate deterrent today. I agree. But I should point out that weapons in inventory which can survive and penetrate today would not necessarily have that capability five or seven years from now. We must ensure that these forces cannot ever be eroded to the point where there would be serious doubt about our capability to retaliate effectively after a surprise attack. In other words, we must guarantee the survival of sufficient forces—under all foreseeable conditions—so that the Soviet Union knows it would be a grave mistake to attack the United States, today or in the future.

I believe there are two ways to achieve such a guarantee, through negotiations, and through appropriate force planning and deployments. We are pursuing both paths. Naturally, there is a close relationship between the two. I do not believe any of you would view a strategic arms agreement that would place the United States at a disadvantage as acceptable to our security.

The same reasoning is applicable to our strategic programs. As I noted, we must base our planning on the situation that we perceive, since we do not have an arms agreement. Naturally, we have no way of knowing conclusively that the projections of future Soviet strategic weapons deployments which we must consider will, in fact, become a reality. But the momentum they have established makes it imperative that we preserve our strategic options. The programs that we have recommended and are recommending are designed to preserve the availability of necessary options.

Let me review the two important programs which have received emphasis in the current debate over strategic armaments—SAFE-GUARD and MIRV.

In this transitional budget year, the modified Phase 2 SAFE-GUARD program is the only additional step we are recommending to preserve the survivability of our land-based deterrent. We chose this course in order to avoid the necessity this year of either adding to our offensive potential, or taking other steps which would complicate the problems of arms control. The suggestions made last year that we either increase our offensive forces or assume a posture of "launch-on-warning" are examples in the first case of the hard and difficult decisions the fiscal year 1971 program is designed to postpone, and, in the second case, of a situation which no President would want to face as the only course of action available in an impending crisis.

SAFEGUARD is not provocative to the Soviet Union. It does not threaten the Soviet's offensive forces in any way if their objective is deterrence. It clearly does not provide a heavy defense of our cities.

SAFEGUARD is designed to provide us the options to fulfill any or all of several objectives, including: to preserve the survivability of our land-based deterrent forces, to defend against the potential ICBM threat from China, and to defend against accidental launches from any source.

If there is a SALT agreement, it could be consistent with the deployment of SAFEGUARD.

If a SALT agreement precluded any ABMs, then we could halt the deployment or dismantle the SAFEGUARD components. If we did, we would have to regard SAFEGUARD as money well spent, since it may have encouraged agreement at SALT. In any case, its continuation today is necessary insurance that we must have.

This is true because if there is no SALT agreement and we did not have the SAFEGUARD deployment or some other offsetting

action underway, we would have lost the lead time necessary to counter effectively the growing Soviet threat to our land-based deterrent forces.

Turning now to the other strategic program of importance, we are continuing the previously approved program of deploying MIRVs for POSEIDON and MINUTEMAN for two reasons:

1. To make sure that an adequate deterrent survives in the face of the increasing vulnerability of MINUTEMAN and bombers to the Soviet strategic threat.
2. To insure that our surviving retaliatory forces can penetrate Soviet defenses in the future.

In designing our MIRV programs we could have chosen to use our technology to develop a very major increase in our hard target kill capability, thus giving the Soviet Union grounds for anxiety about whether our intentions included preparation for a major counterforce capability. We have not followed this path but have instead used the technology to enhance our ability to penetrate Soviet ABM defenses and to cover soft retaliatory targets with fewer surviving U.S. missiles. Thus, our scheduled MIRV deployment is designed to preserve our deterrent in the least threatening way in the face of growing Soviet offensive and defensive capabilities.

If we did not plan on actions to offset the expanding threat—I would, as Secretary of Defense, have to face the possibility that, in the mid-to-late 1970's, we might no longer be able to rely on either the Bomber or MINUTEMAN force to survive a surprise attack. In such a situation, without MIRV, we would be left with only the POLARIS deterrent force in our strategic arsenal for high-confidence retaliatory purposes.

Many people overlook the fact that a very large percentage of our retaliatory power (measured in terms of both warheads and megatons) is carried by our bombers and land-based missile forces. As I noted in the Defense Report, we have some 4,200 strategic nuclear weapons in our strategic force today. Only about 15 percent of those weapons are carried by the POLARIS SLBM force, while about 60 percent of them are carried by our bombers and 25 percent by our ICBMs.

If we permit our ICBM and bomber forces to become highly vulnerable to a surprise attack by the mid-to-late 1970's, we would be faced with the prospect of relying on the submarines at sea and on alert—carrying even less than 15 percent of our strategic weapons—for retaliation with high confidence.

We are fully confident that the SLBM force at sea is invulnerable to surprise attack today and should remain so for the next five to seven years and hopefully longer. But is that fraction of the force which is at sea and on alert enough—is that posture sufficient—to insure that the Soviet Union would be deterred? I do

not believe that we can afford to take this kind of a risk with our national security. The MIRV deployments provide an essential increase in targeting flexibility to offset the growing vulnerability of our land-based retaliatory forces, which is one of the major reasons for continuing these previously scheduled MIRV deployments.

Compounding this problem is the Soviet Union's activities in the anti-ballistic missile field. In order to be confident in our deterrent, we must insure not only that enough retaliatory weapons are left after a Soviet first strike, but also that they are able to reach their target. An extensive ABM capability on the part of the Soviet Union could greatly reduce our confidence in our penetration capability.

By the mid-to-late 1970's Soviet strategic air defenses and missile defenses could be quite formidable. In addition to the extensive air defense capability they already possess, the Soviets are pursuing a vigorous anti-ballistic missile research and development program designed to improve the present operational system or to develop substantially better second-generation ABM components.

You all know that with regard to ABM defenses, long-lead items are the acquisition and tracking radars. For a decade now, the Soviets have been deploying a system of such radars. As I noted in my Defense Report, "The Soviets probably have a number of these early warning radars either operating or under construction, and as such are expanding their surveillance coverage to include most of the areas that are of concern to them." In addition to the Moscow ABM system, the Soviets have deployed a very extensive, sophisticated air defense system across the approaches to Western Russia. We cannot rule out the possibility that the Soviets have given or will give this system, called the SA-5 or TALLINN system, an ABM role. We believe such a role is technically feasible for this system. This is a problem of particular concern because of the extent of the TALLINN deployment—over 1,000 interceptor missile launchers.

Turning now to possible arms limitation agreements, if a SALT agreement were concluded which banned MIRVs, we would, of course, be prepared to honor it. I think we can all agree that such an agreement would have to include acceptable verification provisions.

If no SALT agreement were reached, and we do not deploy MIRVs on schedule, we will have lost the lead times necessary to counter potential Soviet defenses and the future threats to the survivability of our offensive forces.

To summarize, Mr. Chairman, I would like to note that, in the past fifteen months:

We have not accelerated the planned deployment of offensive systems, but have actually slowed it down.

We have slowed down the previously approved ABM deployment plan, keyed it to the emerging threat, and reoriented the the system to provide more timely protection for our land-based deterrent forces.

In short, Mr. Chairman, as I pointed out in my Defense Report, we are seeking every opportunity to enhance the possibility of achieving an agreement and avoid exacerbating the arms race—by deferring decisions, taking minimal steps, and deliberately accepting some increased risk. We could have recommended a considerably expanded strategic forces program for the forthcoming year. I believe there are many who would view such a recommendation as appropriate, in light of the Soviet and Chinese Communist programs.

We have not done so. Neither have we recommended that the United States unilaterally defer or abandon those programs that are deemed appropriate, in the absence of a safeguarded agreement, to preserve our future security.

We strongly believe that the proper place to deliberate these complex issues is at the conference table with the Soviet Union. These talks are in progress. We cannot foresee the outcome, but let me reiterate that we hope for success—for an agreement that preserves our security and permits a continued deferral of these hard choices that we face with regard to new strategic programs.

Mr. Chairman, we are concerned about the momentum evident in the strategic programs of the Soviet Union, and the implications of that momentum for the strategic balance in the future. We are also quite conscious of the Communist Chinese strategic weapons program—and of the recent demonstration of Chinese competence.

These strategic issues are complex, and are not susceptible to simple, easily agreed solutions. We cannot guarantee that our approach is precisely right—that the modest program we are recommending will not be too little or too much for the future. But I believe that it is a responsible program, consistent with our security, and entirely appropriate to preserve our options in this transitional year, pending further developments in the strategic situation.

In summary, let me recall that two of the three principles President Nixon deems essential for peace are strength and a willingness to negotiate. We are serious in searching for a stable and lasting peace. We are serious in our willingness to negotiate. We are negotiating now in Vienna. As the President noted last Friday night, he believes we will be successful in negotiating an agreement.⁴

But we are also serious about maintaining our strength. Without this element, without preserving our strength, there would be no need—no incentive—for the other side to negotiate. And I do not

⁴ *Supra*.

believe that prospect would enhance the possibilities for achieving the durable peace that we all desire. That is why we feel it is essential to continue those programs and options designed to preserve our strength, while at the same time pursuing at the negotiating table our search for an early and effective strategic arms limitation agreement.

**Arms Control and Disarmament Act Amendments,
May 12, 1970⁵**

An Act

To amend the Arms Control and Disarmament Act in order to extend the authorization for appropriations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of section 49(a) of the Arms Control and Disarmament Act, as amended (22 U.S.C. 2589(a)),⁶ is amended by inserting immediately after "\$18,500,000", the following: ", and for the two fiscal years 1971 and 1972, the sum of \$17,500,000,".

Approved May 12, 1970.

**News Conference Remarks by Secretary of State Rogers: Cambodian Incursion and Relations with the Soviet Union
[Extract], May 13, 1970¹**

Q. Mr. Secretary, specifically, has the incursion complicated our relations with the Soviets?

A. It's a little too early to tell, I think. As you know, Kosygin had his press conference;² and they have, I think, taken some steps to gain propaganda advantage. But I think it's too early to tell. I don't see any indication it's adversely affected their attitude on the SALT talks. I don't see that it's changed their position in the Middle East. So it's too early to tell, I think. I think that the fact that Prince Sihanouk and his government-in-exile has been incubated and hatched in Peking has caused the Soviet Union some concern.

⁵ 84 Stat. 207; Public Law 91-246.

⁶ *Documents on Disarmament*, 1961, pp. 482-495; *ibid.*, 1963, pp. 622-623; *ibid.*, 1965, p. 206; *ibid.*, 1968, p. 396.

¹ *Department of State Bulletin*, June 1, 1970, p. 674.

² See *ante*, pp. 203-204.

Report on Chemical-Biological Warfare by the Subcommittee on National Security and Scientific Developments of the House Committee on Foreign Affairs, May 16, 1970¹

Among all forms of warfare, none stands more condemned before the bar of mankind than the use of chemicals and biological agents. From ancient times employment of poisons has been considered a violation of the rules of war. Today, chemical-biological weapons are looked on by the public with a horror and disgust which is not felt for other, potentially more destructive arms. The reaction has been traced to historical experiences, such as the gas attacks of World War I, and even to deep-seated psychological fears. Whatever its origin, this revulsion has expressed itself in continuing international attempts to outlaw chemical-biological warfare (CBW).

Among those attempts the most noteworthy, and perhaps the most effective, was the Geneva Protocol of 1925.² Nations which adhere to it, as some 84 have, pledge not to use against other parties to the protocol "asphyxiating, poisonous or other gases," or "all analogous liquids, materials or devices" or "bacteriological methods of warfare." As a result of reservations to the protocol filed by many countries, only the first use of chemical and biological weapons is prohibited for those countries. Parties who have made such reservations are free to use CB weapons in retaliation if attacked with them. Moreover, the protocol does not affect the right of any party to develop, manufacture, and stockpile chemical and biological weapons.

Although the United States was instrumental in drafting the protocol of 1925 and American representatives signed it, the Senate subsequently failed to ratify the agreement. Reasons for this failure are rooted in historical circumstances and the personalities of political leaders who have long since passed from the scene. Despite the lack of any formal adherence to the protocol, a succession of American Presidents has unilaterally pledged support for the principles and objectives it expresses. The United States used no gas of any kind in combat during World War II and the Korean conflict.

Through the years, however, the pledge has been seen by some Americans as an unsatisfactory substitute for actual ratification. These feelings have intensified as scientific and technological advances applicable to CBW have increased the potential danger to mankind. Developments in the biological sciences particularly have raised fears of uncontrolled global epidemics resulting from laboratory-created microbes, against which there may be no natural immunity. Moreover, the clear possibility that knowledge

¹*Chemical and Biological Warfare: U.S. Policies and International Effects* (Com. print, 91st Cong., 2d sess.), pp. 1-10.

²*Documents on Disarmament, 1969*, pp. 764-765.

about CBW will spread soon to most of the world's nations has engendered considerable interest in the control of such weapons.

ACTION IN CONGRESS AND THE EXECUTIVE BRANCH

The degree of concern in the House of Representatives was demonstrated by the resolutions on CBW which were sponsored or cosponsored in 1969 by some 108 Members of Congress. Originally drafted by Representative Richard D. McCarthy, of New York, the resolutions called for: (1) the President to resubmit the Geneva Protocol to the Senate for its advice and consent to ratification; (2) a comprehensive review of U.S. CBW policies; and (3) a clear reaffirmation of U.S. policy on no first use of gas and biological warfare. Sent to the House Foreign Affairs Committee, the resolutions subsequently were referred to the Subcommittee on National Security Policy and Scientific Developments.

The subcommittee opened hearings on the resolutions on November 18 by taking testimony from concerned Members of Congress, and 2 days later held a second hearing with private expert witnesses. Before other scheduled sessions could be held, however, the President on November 25 announced his intention to resubmit the protocol to the Senate for ratification. He also affirmed a "no first use" policy for lethal and "incapacitating" chemical weapons, and unilaterally renounced for the United States any use of biological weapons, lethal or non-lethal, even in retaliation.³

This historic announcement had the effect of rendering moot the resolutions before the subcommittee. After some consideration, it was decided to pursue the inquiry into international aspects of chemical and biological warfare, but on a somewhat broader scale than before. Rather than tailor its hearings to specific proposals, the subcommittee would try to achieve several objectives: (1) to explore the meaning and ramifications of the President's announcement; (2) to deepen congressional and public understanding of considerations involved in Senate ratification of the Geneva Protocol; (3) to shed additional light on other issues raised domestically and internationally on America's CBW policies, particularly the use of chemical agents in Vietnam; and (4) to look beyond the protocol ratification to requirements for new international agreements to control the proliferation and use of chemical and, most particularly, biological weapons.

In its efforts the subcommittee was fortunate to have the cooperation of a distinguished group of witnesses, including Members of Congress, nongovernmental experts, representatives of interested organizations, and spokesmen for the Departments of State and Defense, and the Arms Control and Disarmament Agency. Their testimony provided a significant body of informa-

³ *Ibid.*, pp. 592-593.

tion and expert opinion on chemical and biological warfare. The hearings, together with an index and an appendix of significant documents on CBW, was issued in January 1970, under the title, "Chemical-Biological Warfare: U.S. Policies and International Effects."

Based on the information obtained during the hearings, the subcommittee in this report is presenting its analysis, findings, and recommendations on relevant issues of chemical and biological warfare.

THE PRESIDENT'S CBW ANNOUNCEMENT AND THE SUBCOMMITTEE INQUIRY

The President's announcement of November 25 must be accounted one of the most significant official U.S. statements ever made on chemical and biological warfare. Not only did it give renewed definition and direction to U.S. policies on CBW, it also marked an important step in the global effort to control those much-feared weapons. The brevity of the statement, however, left some questions about the U.S. position unanswered. During its hearings, the subcommittee sought to obtain clarification of certain points, specifically the classification of the gas DM (Adamsite), the status of toxins, and the future use which might be made of facilities like Pine Bluff Arsenal and Fort Detrick, Md., once they had lost much or all of their BW mission.

Developed during World War I, DM is a gas which has almost no odor, and causes headache, coughing, sneezing, chest pains, nausea, and vomiting. Used for a short time by South Vietnamese troops according to testimony given to the subcommittee, DM is considered by some to be a "riot control agent" and by others to be an "incapacitant" since it can induce systemic symptoms which can last up to 4 hours. Its status under the President's directive was unclear. As a result of the subcommittee's inquiry, it was established that, regardless of classification, the United States no longer intends to "use, acquire, or export" DM.

An even more important issue was the status of toxins, poisonous chemical substances which are produced by living organisms such as bacteria. Although toxins are not contagious, they can cause severe illness and even death if ingested or inhaled. Among them are botulinum which produces the generally fatal disease, botulism, and staphylococcus enterotoxin, which causes common food poisoning. Because the President's message made no reference to toxins, their status became a matter of controversy. Those who supported a toxin ban pointed out that the toxins would require biological means of production, thus reducing the credibility and impact of the President's gesture. Those who favored retaining toxins suggested that the United States should not specifically bar their future use and thereby lock itself in a position which would prevent toxin development by synthetic

chemical processes. Both positions were aired extensively in the subcommittee hearings.

The controversy was resolved on February 14 when the White House announced that the President's biological warfare ban had been extended to toxins as "another step, which we are willing to take unilaterally, to bring about arms control and to increase the prospects of peace."⁴

A third area of debate which resulted from the President's CBW statement concerned the future use of Government facilities which have been engaged in biological warfare missions. Principally affected are Pine Bluff (Ark.) Arsenal, where biological agents have been produced and stored, and Fort Detrick, Md., the center of germ war research. Aware of the valuable resources which the personnel and laboratories of former BW centers represent, the subcommittee sought suggestions from witnesses on civilian missions to which they might be devoted. Among proposals received were that BW facilities be transformed into (1) a national center for testing the possible toxicity of all chemicals used in foods or in other major ways in the environment; (2) an agency of the Department of Health, Education, and Welfare or the National Institutes of Health devoted to the study of bacteria-caused disease; and (3) a central international laboratory dedicated to defense measures against threatening organisms, either natural or instigated by man.

From a Department of Defense witness, the subcommittee learned that alternative civilian uses for the Pine Bluff and Fort Detrick facilities are being actively explored. Although no final decision yet has been made within the Government, a strong consensus apparently has emerged that, to the extent possible, BW facilities should be turned to peaceful, civilian uses, rather than be shut down.

THE USE OF CHEMICAL AGENTS IN VIETNAM

The most controversial issue to emerge from our consideration of America's chemical-biological warfare policies and their international effects concerns the use of chemical agents by the United States and its allies in the Vietnam conflict. More specifically, those agents are tear gases such as the widely used CS which causes tears, coughing, and burning and stinging of the skin, and herbicides which are used to defoliate the jungle and destroy food sources of the enemy. Since each of these classes of chemical agents presents its own particular problems, separate consideration generally is accorded them.

Tear gases.—The Department of Defense obtained Presidential approval in November 1965, for use of tear gases in Vietnam. The authority to use those agents in military operations subsequently was delegated to subordinate commanders. While this action was

⁴ *Anti*, pp. 5-6.

taken with the concurrence of the Department of State, a statement by Secretary Rusk at the time envisioned limited use of those nonlethal gases:

... We do not expect that gas will be used in ordinary military operations. Police-type weapons were used in riot control in South Vietnam—as in many other countries over the past 20 years—and in situations analogous to riot control, where the Vietcong, for example, were using civilians as screens of their own operations.⁵

In actual practice, however, the application of so-called riot control agents has been much wider. They have been used not only to save lives of noncombatants but also to avoid casualties among U.S. and allied forces. For example, CS has been used to clear tunnel complexes of Vietcong soldiers allowing their killing or capture with considerably less loss of life to our troops than might otherwise be necessary. It also is used in attacks on occupied enemy positions. In effect, tear gases have been treated as normal components of combat power. As a result, some 13.7 million pounds of CS have been used in Vietnam.

The situation is clearly one in which practice has determined policy. Despite the explanation originally given by the Secretary of State and other official spokesmen regarding the manner in which these agents were expected to be employed, the primary criterion of their use in combat has been their military effectiveness. If in any way they can assist a commander in carrying out his mission, they are used.

Herbicides.—The principal objective of herbicide use in Vietnam has been to produce a significant improvement in vertical and horizontal visibility in jungle areas. Areas defoliated have included our own base perimeters; roads, trails, and waterways; infiltration routes; and enemy base camps. A secondary use of herbicides is to destroy crops in order to deny food supplies to Vietcong forces. According to the Department of Defense, herbicide operations have been helpful in protecting American soldiers and have contributed to successful accomplishment of ground combat missions.

Questions have been raised both internationally and domestically about the widespread use of herbicides because of fears about their effects on Vietnam's natural setting and on its people. No country has ever been subjected to such intensive use of herbicides as has South Vietnam since 1962. According to Department of Defense figures, as of the end of July, 1969, the United States has sprayed with herbicides 5,070,800 acres, a figure equivalent to more than 10 percent of the total land area of South Vietnam.

When defoliating operations were begun, herbicidal chemicals were not believed to be permanently damaging to plants or toxic to human beings. With the passage of time, however, evidence has grown that concentrated applications may have drastic effects on the environment and on people intensively exposed. Laboratory tests have indicated, for example, that one frequently used herbicide, 2,4,5-T, causes birth malformations in mice and rats. As

⁵ *American Foreign Policy: Current Documents, 1965*, pp. 845-846.

a result its use in Vietnam recently was halted, at least temporarily. Other chemicals still commonly used in Vietnam also have been questioned by members of the scientific community for their environmental effects and safety for human beings. Among those herbicidal agents are 2,4,D, picloram, and cacodylic acid.

Collateral issues related to the use of herbicides concern the possibility of U.S. liability for expensive damage claims in the future, and the belief of some observers that the destruction of food supplies primarily hurts women, children, and other noncombatants rather than hostile forces.

Internationally, the use of nonlethal gases and herbicides in Vietnam has resulted in considerable criticism of the United States. Our Nation has been charged with violating international law including the Geneva Protocol, and with breaking down the barriers to chemical and biological warfare which have existed since World War I. In December 1969, the United Nations General Assembly approved a resolution, by 80 votes to 3, with 36 abstentions, declaring that the Geneva Protocol prohibits all chemical agents which have direct toxic effect on men, animals, and plants.⁶ The resolution was aimed primarily at U.S. practice in Vietnam.

One of the three nations which voted against the resolution was the United States. Its position has been that neither careful textual analysis, nor the history of negotiations, nor pertinent interpretations of prior treaties reveal a clear intent to include tear gas among the protocol's prohibitions, and that, broadly considered, its provisions do not cover the use of CS in Vietnam. With respect to herbicides, the U.S. position is that neither the language of the protocol nor the negotiating history indicates an intention to cover antivegetation chemical agents. Moreover, the United States, although not a party to the protocol, has rejected the right of the General Assembly to interpret or declare principles of international law embodied in the protocol or other treaties "where the rules are ambiguous and where universal consensus is lacking."⁷

SUBMISSION OF THE PROTOCOL TO THE SENATE

In accordance with the President's November 25 message, the executive branch was reported by administration witnesses during subcommittee hearings last December to be preparing to send the 1925 Geneva Protocol to the Senate for its advice and consent to ratification. Some delay has been experienced, however, and submittal has not yet occurred. When formal papers are at last sent to the Senate, it is expected that they will, according to testimony before the subcommittee, include a reservation on "no first use" limited to chemical weapons. The reservation which the executive branch proposes to make would be more restrictive of

⁶ *Documents on Disarmament*, 1969, pp. 716-717.

⁷ *Chemical-Biological Warfare: U.S. Policies and International Effects: Hearings Before the Subcommittee on National Security Policy and Scientific Developments of the Committee on Foreign Affairs, House of Representatives, Ninety-first Congress, First Session*, p. 182.

America's freedom of action than the reservations made by many parties to the Geneva Protocol. The United States would retain the right to retaliate in kind only with chemical weapons, whereas some states have reserved the right to use both chemical and biological weapons in retaliation. This, of course, would be in accord with the President's November 25 statement. Moreover, in an accompanying message the administration is expected to state its view of the scope of the protocol, including its interpretation that the treaty does not cover the use in war of tear gas or chemical herbicides.

If, as expected, the protocol comes to the Senate in such a form, that body would be faced with several important, interrelated decisions affecting the protocol, the reservation, and the interpretation.

The protocol.—On the issue of ratifying the Geneva Protocol of 1925, three general lines of action are open to the Senate: (1) It can approve ratification of the protocol as requested by the President; (2) it can reject the protocol perhaps, to quote one opponent, as "an example of hypocrisy and cynicism unworthy of ratification by the United States;" (3) it can keep the protocol in committee, as did the Senate of 1926. Some who favor U.S. ratification of the protocol without any special interpretation on tear gas and herbicides have advocated this third way, apparently believing that the United States might be willing to abandon its position on those chemical agents once the Vietnam war was settled and the protocol then could be reviewed and approved without an interpretation.

The reservation.—If the Senate determines to approve the protocol, it could take one of three positions on the proposed reservation: (1) It could approve the reservation as submitted by the President and thus give congressional sanction to the unilateral renunciation of biological warfare by the United States; (2) it could reject the President's proposed reservation and adopt instead the broader "no first use" reservation now held by many protocol signers. That action would conflict with the President's unilateral renunciation of BW and would cloud U.S. policy on the issue; (3) it could reject any reservation at all, which might be construed as a unilateral renunciation of the use of CW as well as BW, even in retaliation.

The interpretation.—Regardless of its action on a reservation, if the Senate approves the protocol, it would be faced with several options regarding the administration's likely interpretation that tear gas and herbicides, as used in Vietnam, are not covered by the treaty. (1) It could explicitly endorse that interpretation, thus consolidating the position of the U.S. Government on the issue. (2) it could say nothing on the subject, thus tacitly accepting the administration's position. (3) it could modify or revise the interpretation, accepting, for example, the administration position on herbicides but rejecting it on tear gas, (4) it could refuse any interpretation, leaving the issue to future negotiations among protocol signatories. (5) it could express its own interpretation

that tear gas and herbicides are prohibited by the protocol.

Obviously, some courses of action suggested above are more likely than others. The range of options does, however, point up the complex issues involved in Senate approval of the protocol. The situation suggests that optimism may be unwarranted about the ease with which Senate ratification will be accomplished. Deadly serious issues are involved about which reasonable men may differ.

LOOKING BEYOND THE GENEVA PROTOCOL

Impetus is given to ratification of the Geneva Protocol by the clear prospects of CBW proliferation both among countries obtaining a capability and in the types of CB agents which might be available for use in warfare.

The proliferation of chemical and biological weapons would tend to change the world's balance of power reducing U.S. power. The military advantage which large, rich nations like the United States and the Soviet Union have over small, poor countries in a conventional war is significantly reduced by the economics of chemical weapons. Moreover, a simple biological warfare capability, enough to cover small neighboring countries or several metropolitan areas within the United States, is within the easy reach of most countries. The biological agent can be grown in a public health laboratory and covertly delivered in the normal course of commerce.

Thus, it is argued, the United States and other world powers would lose some of the relative advantage of nuclear and conventional capability which results from their wealth and technology. Strong incentives, therefore, exist to discourage other nations from acquiring chemical and biological capabilities.

Secondly, on the immediate horizon are modern developments in molecular genetics which could result in manmade viruses for which there would be no natural immunities and against which no reasonable defense could be mounted. Because of the dangers to all mankind in the use of such agents, they would hardly be used as a result of any rational military decision, but obviously might abet aggressive insurgence or blackmail. It is not difficult to imagine the consequences if such agents should fall into the hands of a future Hitler.

As the accumulation and development of CB weapons is allowed to proceed unchecked, the world is confronted more with the awesome possibility that they will be used. It is not unreasonable to contend that the effects of these agents in war is completely unpredictable. If they were ever used on a large scale, they could bring about serious and radical changes in our environment and society. The dangers are equally great for the nation reckless enough to initiate an attack, as for the one attacked. Faced with that prospect, the world's nations have recently given considerable attention to the prospects of their control. At the United Nations General Assembly last year CBW

was the subject of extensive debate—attracting more attention than any other single disarmament topic. Both in 1969 and 1970, the subject has been a principal agenda item at the Geneva Conference of the Committee on Disarmament (CCD). Because the United States is not a party to the Geneva Protocol, some believe it has been prevented from taking positions of leadership in international forums which are discussing crucial CBW issues.

Already several draft resolutions and conventions for restricting and in some cases, prohibiting the production and any use of chemical and biological weapons, have been introduced at the United Nations and the CCD. The United States has expressed its support for the principles of the British draft convention on the prohibition of biological methods of warfare.⁸ An alternative approach has been offered by the Soviet Union in a draft convention which offers prohibitions against developing, producing, or stockpiling of chemical as well as biological warfare agents.⁹ Because the Russian proposal poses serious problems for verification of limitations on chemical weapons, the United States has backed the British approach of dealing with this complex arms control problem on a step-by-step basis, taking the most urgent and manageable problems first, that is, those related to biological weapons. Current debate at the Geneva Disarmament Conference has centered on the wisdom of dealing with biological warfare apart from chemical warfare.

While current U.S. efforts are devoted to promoting the principles of the British draft convention, research work is being done by ACDA looking toward the prohibition of chemical weapons as well. An ACDA spokesman pointed out to the subcommittee that the key to control of CW is verification. While policing a CW ban presents difficult technical and political problems, there is some optimism that technical problems involved in verification by direct observation can be resolved, perhaps leading eventually to the complete elimination of chemical agents of war.

FINDINGS AND CONCLUSIONS

After having given careful consideration and review to the information, expert opinions and informed judgments provided to the subcommittee during weeks of hearings on aspects of U.S. chemical-biological warfare policies and their international effects, we have arrived at a number of findings and conclusions.

First, because of the obvious dangers to America's strategic position in the proliferation of biological and chemical weapons, it is in the national interest of the United States to adhere to existing international agreements aimed at CBW control and to seek new

⁸ *Documents on Disarmament, 1969*, pp. 431 ff.

⁹ *Ibid.*, pp. 455-457.

multilateral pacts which would ban the development, production and stockpiling of CB agents. Moreover, to the extent that such weapons, particularly those employing biologicals, threaten the existence of human life on earth or raise fears of extinction, our Nation has a duty to mankind to help obtain their effective prohibition.

Second, the President deserves commendation for his leadership in announcing his intention to resubmit the Geneva Protocol to the Senate for its advice and consent to ratification, and for his unilateral renunciation of any future use by the United States of biological weapons, including toxins. It was a historic gesture which reasserted America's dedication to arms control. Praise is also due those in Congress, of both political parties, whose energetic activities helped create the climate for the President's initiative.

Third, the continued, large-scale use of chemical agents in Vietnam by the United States creates troublesome political problems. Those problems are virtually certain to be central to Senate consideration of the protocol, if it is submitted as expected with an interpretation that the treaty's prohibitions do not cover the use in war of tear gas or chemical herbicides. To the extent that approval of such an interpretation would constitute endorsement of current CW activities, it could provoke opposition. Opponents would include (1) those who believe that CS employment in Vietnam goes significantly beyond the restricted usage justified by U.S. officials at the time the decision was made; (2) those who feel that current evidence about the toxicity of some herbicides to man and nature require more thorough investigation; (3) those who believe the Geneva Protocol prohibits the use of tear gas and herbicides in warfare; and (4) those who are sensitive to international concerns that American activities have eroded barriers against CBW erected after World War I. On that last point, it is possible that other signatory nations would not accept the United States as a party to the protocol if they find that the U.S. interpretation strikes into the heart of the treaty and masks what they would consider to be essentially a reservation. This dilemma may seriously complicate Senate consideration of the protocol and is a legitimate cause for concern.

The difficulty might be resolved if the United States were to take a position, or make an interpretation, that the use of tear gas and herbicides in warfare is an open question, given the apparent ambiguity of the protocol on the subject. Our stance could be that the problem of tear gas and herbicides is not a moral issue, but rather an important technical and legal question which relates to the prevention of proliferation and escalation of chemical-biological capabilities. Since the question is an open one, current chemical warfare activities in Vietnam cannot be considered illegitimate or in violation of the protocol. We then could go on to

declare our willingness as a nation to abide by whatever uniform and workable rule which we and the other signatories to the protocol eventually could decide upon. Such an approach, it appears, would speed approval of the protocol itself and reduce significantly the possibilities of international repercussions over the U.S. interpretation of the treaty. Moreover, as U.S. combat activities wane in Vietnam, it might be possible to scale down substantially CW operations as testimony to our good faith.

Fourth, the United States should take maximum advantage of its unilateral renunciation of biological weapons to urge other countries to take similar actions and to achieve international agreement on a treaty such as the British draft convention which would effectively outlaw the development, production, stockpiling and use of biological agents and toxins for warfare purposes. Further, the Arms Control and Disarmament Agency should continue to emphasize research which may someday make possible a similar ban on chemical weapons.

Fifth, personnel and facilities at Pine Bluff, Ark., and Fort Detrick, Md., constitute valuable resources for our Nation in the stepped-up campaign against environmental pollution, ecological hazards, and dangers to human beings from chemicals and bacteria. Beyond national benefits to be obtained from turning those facilities to peaceful pursuits, our Nation stands to gain worldwide repute by making available internationally the knowledge and techniques developed there.

RECOMMENDATIONS

On the basis of its findings and conclusions, the subcommittee makes these recommendations:

(1) The President, as soon as possible, should fulfill his announced intention by submitting the Geneva Protocol of 1925 to the Senate for its advice and consent to ratification. It has now been 5 months since the President said he would take that action, and if the protocol is to be given adequate consideration during the current Congress, it must be sent up at an early date.

(2) The Senate should speedily approve the protocol and the single reservation proposed by the President, thereby giving congressional endorsement to the unilateral and complete renunciation of biological warfare by the United States.

(3) The question of the use of tear gas and herbicides in warfare should be left open in any formal or informal interpretation of the protocol made by the executive branch or the Senate, and once the United States becomes a party to the treaty it should seek agreement with the other parties on a uniform interpretation of the scope of the protocol, either through a special international conference among the parties or through established international juridical procedures.

(4) The United States should continue its present policy of supporting arms control efforts which, proceeding on a step-by-step basis, seek a treaty totally banning biological weapons, rather than attempting now to achieve a ban on both biological and chemical weapons in the same agreement.

(5) Every possible effort should be made to retain former BW facilities and personnel, turning them to the solution of environmental problems for the benefit of all Americans and, indeed, all mankind.

Communique and Declaration of the North Atlantic Council, May 27, 1970¹

The North Atlantic Council, meeting in Ministerial Session in Rome on 26th-27th May, 1970, reaffirmed that the Alliance remains indispensable to the security of its members and makes possible their common search for progress towards a more stable relationship between East and West in which outstanding issues dividing Europe can be resolved.

2. Ministers again stated their determination to resolve these problems through a process of negotiation. They recognised that, for their part, this search for peace must rest upon a spirit of genuine partnership, the maintenance of the defensive strength of the Alliance and the practice of full and timely consultation.

3. Ministers agreed that it will not be enough to talk of European security in the abstract. The causes of insecurity in Europe are specific, they are deeply rooted in conflicting perceptions of state interests, and their elimination will require patient endeavour. However, the Allies for their part, remain willing to negotiate, in any suitable forum, those concrete issues whose resolution would enhance the security of Europe. The success of efforts to pursue genuine relaxation of tension will be a test of the willingness of all interested countries to deal meaningfully with real issues of security.

4. Ministers affirmed that to endure, peace must rest upon universal respect of the sovereign equality, political independence and territorial integrity of each European state, regardless of its political or social system, and for the right of its peoples to shape

¹ *Department of State Bulletin*, June 22, 1970, pp. 772-775.

their own destinies, free of the threat of external intervention, coercion or constraint.

5. Ministers, recalling their earlier statements on the subject, examined and approved a report on the situation in the Mediterranean, prepared by the Council in Permanent Session which they had requested in their meeting of December, 1969.² Having regard to the conclusions presented in this report, they found reason to reiterate their concern with regard to the situation in the area. They stressed again the importance of full and frequent consultation among the Allies on this question and the necessity for continued vigilance. They instructed the Council in Permanent Session to continue their close review of the developing situation in the Mediterranean and to report fully thereon to Ministers.

6. At their April 1969 meeting in Washington, Ministers agreed to explore with the Soviet Union and the other countries of Eastern Europe which concrete issues best lend themselves to fruitful negotiations in order to reduce tension and promote co-operations in Europe and to take constructive actions to this end.³ The Council thereafter conducted a detailed study of those issues, and at their meeting in December 1969, Ministers declared that Allied Governments would continue and intensify their contacts, discussions or negotiations through all appropriate channels, bilateral or multilateral, and that they remained receptive to signs of willingness on the part of the Soviet Union and other Eastern European countries to engage in such discussions. Progress, they said, in these discussions and negotiations would help to ensure the success of any eventual conference, in which of course, the North American members of the Alliance would participate to discuss and negotiate substantial problems of co-operation and security in Europe.

7. Ministers expressed satisfaction over the launching or continuation of the whole range of talks and negotiations, initiated by members of the Alliance, which they have been actively promoting during the six months since December 1969. At the same time, numerous other East-West contacts have been pursued. The Allies have consulted and will continue to consult closely on all these initiatives and contacts.

8. With the support and understanding of its Allies, the Federal Republic of Germany has initiated talks with the Soviet Union, Poland and GDR in order to improve the situation in Central Europe. The Allies consider this to be encouraging. They express the hope that these talks will yield results and will not be compromised by the presentation of unacceptable demands. The efforts being made to solve outstanding problems and to achieve a *modus vivendi* in Germany which would take account of the special features of the German situation, represent an important

² *Documents on Disarmament, 1969*, pp. 523 ff.

³ *Ibid.*, pp. 184 ff.

contribution to security and co-operation in Europe. The Ministers express the hope that all governments desiring to contribute to a policy of relaxation of tension in Europe will, to the extent possible, facilitate a negotiated settlement of the relationship between the two parts of Germany and the development of communications between the populations.

9. The Ministers noted with satisfaction that the Four Powers, in the framework of their rights and responsibilities for Berlin and Germany as a whole began discussions on 26th March about improving the situation with regard to Berlin and free access to the city. They express the hope that the difficulties which exist at this especially sensitive area of the East-West relationship could be overcome by practical measures and that Berlin would be enabled to make its full contribution to economic and cultural exchanges.

10. The conversations between the United States and the Soviet Union aiming at the limitation of strategic armaments, which began last November at Helsinki, have been continued at Vienna in April. Ministers welcome these talks, the outcome of which is so important for the security of Europe and the future of humanity.

11. On the occasion of the coming into force of the Non-Proliferation Treaty,⁴ Ministers reemphasised the importance they attach to limiting the spread of nuclear weapons as well as to measures for genuine nuclear disarmament. They noted with interest the efforts now under way to exclude mass destruction weapons from the seabed and to deal with the problem of control of biological and chemical weapons. They expressed the hope that further progress on disarmament measures, with appropriate safeguards, can reduce the arms burdens borne by all.

12. The members of the North Atlantic Alliance have, over a number of years, proclaimed their interest in arms control and disarmament measures which facilitate a gradual elimination of the military confrontation in Europe. Ministers recalled the declarations issued at Reykjavik in 1968,⁵ and at Brussels in 1969.⁶ They noted that up to now these declarations had led to no meaningful reply.

13. The Allies have nevertheless carried out intensive studies on mutual force reductions in accordance with the directions given by Ministers in December 1969. Ministers examined the detailed report presented to them by the North Atlantic Council in Permanent Session. This has been of great value in clarifying the complex issues involved. Ministers gave instructions for further relevant studies which would guide policies and explorations in this field.

14. Ministers, having examined all these developments, both

⁴ *Ibid.*, 1968, pp. 461-465.

⁵ *Ibid.*, pp. 449-450.

⁶ *Ibid.*, 1969, pp. 625-628.

positive and negative and having taken note of the Report on the Procedures for Negotiation which they had commissioned from the Permanent Council, stated that they were ready to multiply exploratory conversations with all interested parties on all questions affecting peace.

15. In so far as progress is recorded as a result of these talks and in the on-going talks—in particular on Germany and Berlin—the Allied Governments state that they would be ready to enter into multilateral contacts with all interested governments. One of the main purposes of such contacts would be to explore when it will be possible to convene a conference, or a series of conferences on European security and co-operation. The establishment of a permanent body could be envisaged as one means, among others, of embarking upon multilateral negotiations in due course.

16. Among the subjects to be explored, affecting security and co-operation in Europe, are included in particular:

(a) the principles which should govern relations between states, including the renunciation of force;

(b) the development of international relations with a view to contributing to the freer movement of people, ideas and information and to developing co-operation in the cultural, economic, technical and scientific fields as well as in the field of human environment.

17. In addition, Ministers representing countries participating in NATO's integrated defence programme attach particular importance to further exploration with other interested parties of the possibility of mutual and balanced force reductions and have therefore issued a declaration on this subject.

18. As a first step, Ministers requested the Foreign Minister of Italy to transmit this communiqué on their behalf through diplomatic channels to all other interested parties including neutral and non-aligned governments. They further agreed that member governments would seek reactions of other governments to the initiation of the comprehensive programme of exploration and negotiation which they envisage.

19. Ministers reviewed the first report from NATO's Committee on the Challenges of Modern Society and welcomed the progress made in the six months since the Committee was established as a demonstration of the value of allied co-operation on the urgent problems of human environment. Intensive studies now in progress will contribute to national and international action on a broad range of environmental issues, including such pressing concerns as air and water pollution.

20. Ministers reaffirmed the view that the benefit of the Alliance's work in Mankind's environment particularly could become a basis for broader co-operations between East and West in this field of ever-increasing importance. They considered that this could be ensured either through existing international

organizations providing a useful framework for enhanced co-operations or by any other appropriate method.

21. The next Ministerial Sessions of the North Atlantic Council will be held in Brussels in December 1970.

TEXT OF DECLARATION

Declaration on Mutual and Balanced Force Reductions

1. Meeting at Rome on 26th and 27th May, 1970, the Ministers representing countries participating in NATO's Integrated Defence Programme recall and reaffirm the commitment of their nations to pursue effective policies directed towards a greater relaxation of tensions in their continuing search for a just and durable peace. They recall, in particular, the invitations they have previously addressed to the Soviet Union and other countries of Eastern Europe to join them in discussing the possibility of mutual and balanced force reductions.

2. The objective of the work on which their representatives have been engaged has been to prepare a realistic basis for active explorations between the interested parties at an early date and thereby to establish whether it could serve as a starting point for fruitful negotiation. Such exploratory talks would assist those concerned in developing in detail criteria and objectives for substantive negotiations to follow at the appropriate stage in a forum to be determined. They would also provide tangible evidence of the readiness to build confidence between East and West.

3. Ministers invite interested states to hold exploratory talks on mutual and balanced force reductions in Europe, with special reference to the Central Region. They agree that in such talks the Allies would put forward the following considerations:

(a) Mutual force reductions should be compatible with the vital security interests of the Alliance and should not operate to the military disadvantage of either side having regard for the differences arising from geographical and other considerations.

(b) Reductions should be on a basis of reciprocity, and phased and balanced as to their scope and timing.

(c) Reductions should include stationed and indigenous forces and their weapons systems in the area concerned.

(d) There must be adequate verification and controls to ensure the observance of agreements on mutual and balanced force reductions.

4. As a first step Ministers requested the Foreign Minister of Italy to transmit this Declaration on their behalf through diplomatic channels to all other interested parties, including neutral and non-aligned governments. They further agreed that in the course of their normal bilateral and other contacts member

governments would seek to obtain the responses and reactions of other governments. Members of the Alliance will consult further regarding the outcome of their soundings with a view to enabling the Alliance to determine what further individual or joint exploration might be useful.

**Statement by Secretary of State Rogers to the
House Foreign Affairs Committee [Extract], June 9, 1970¹**

President Nixon said in the February report that we have no intention of exploiting the dispute between the Soviet Union and Communist China. Rather, we consider it in our interest to try to improve our relations with each.²

There was some concern that our action in Cambodia would drive the Soviets and the Communist Chinese into renewed cooperation. This has not happened. The Soviets, unlike the Chinese, have not recognized the government Sihanouk proclaimed from Peking, and they still maintain an embassy in Phnom Penh. Moreover, Pravda on May 18—18 days after President Nixon's April 30 speech on Cambodia³—accused the Chinese of failing to take "concerted actions" with the other Communist countries, apparently with regard to Indochina. The tone of that editorial is a measure of the rift between the two Communist powers; it accused Mao of "unscrupulous perfidy" and of "aggressive great-Han chauvinism." Finally, a June 4 article in the Soviet foreign affairs weekly New Times explicitly blamed "Chinese interference in Cambodia affairs" for helping to cause the Cambodian coup.

There was also concern that our Cambodian action would damage our discussions with the Chinese in Warsaw and our strategic arms limitation talks with the Soviets in Vienna. It may have been the reason that the Chinese canceled the May 20 meeting. But we expect that in the near future an opportunity will arise to renew these conversations.

In Vienna the Soviets have not engaged in polemics, even in recent meetings. They apparently believe, as do we, that, as the President said in the foreign policy report, "There is no area in which we . . . have a greater common interest than in reaching agreement with regard to arms control."⁴

On April 16 the substantive phase of SALT began. Both sides have presented their respective positions and are now engaged in a more detailed examination of specific issues. We have put forward

¹ *Department of State Bulletin*, July 6, 1970, pp. 2-3.

² *United States Foreign Policy for the 1970's: A New Strategy for Peace* (H. doc. 91-258, 91st Cong., 2d sess.), p. 142.

³ *Department of State Bulletin*, May 18, 1970, pp. 617-621.

⁴ *Ibid.*, p. 27.

proposals dealing with all offensive and defensive strategic weapons systems, including ABM's and MIRV's.

Our approach has been concrete and comprehensive. The Soviets have also indicated a preference for a comprehensive approach but have not been as concrete as we in spelling out important specifics.

The atmosphere in Vienna remains serious. Some common ground has emerged, although there are still important differences. We are in the early stages of exploring the issues, but it is already apparent that hard negotiations remain.

It is not clear yet what sort of an agreement will result, or when. Nevertheless, we continue to be optimistic.

The NATO Ministerial Meeting

The SALT talks represent, in the strategic arms area, one aspect of our attempt to preserve the balance of strength at lower levels of cost and tension. Another aspect, in the area of conventional forces, is our effort within NATO to engage the Soviets and their allies in talks on mutual and balanced force reductions in Europe. President Nixon, in his foreign policy report, declared our readiness to negotiate on this issue in any suitable forum.⁵

Two weeks ago I attended a NATO ministerial meeting in Rome. At that meeting we reaffirmed NATO's 1968 initiative on mutual and balanced force reductions, with special reference to Central Europe. We set our specific criteria for consideration. And we requested the Italian Foreign Minister to transmit our initiatives directly to the members of the Warsaw Pact and other interested countries.⁶ These actions illustrate our strong desire for progress on force reductions. We await with interest a response from the Soviet Union and the countries of Eastern Europe.

The United States continues to believe, as I told the meeting in Rome, that the best way to solve the security problems of Europe is through a step-by-step approach. Such an approach has already been launched in the West German talks with the U.S.S.R., Poland, and East Germany and in the four-power discussions over Berlin. Talks on mutual and balanced force reductions would be a useful further step.

On another major subject discussed at the NATO meeting—a conference on European security—I emphasized our belief that, before it can be decided whether a general conference would aid in improving East-West relations, there should be a good prospect that the conference would have meaningful results. So far that prospect is at best unclear. At Rome we agreed to proceed with bilateral contacts but to defer consideration of multilateral exploratory contacts until we had assessed, at our December NATO meeting, the progress on the talks now going on.

⁵ *United States Foreign Policy for the 1970's*, p. 36.

⁶ *Ante*, pp. 228-229.

The Rome ministerial meeting was very positive from our point of view. I am particularly encouraged by the firm commitment the ministers made to the search for ways to improve relations among the countries of Eastern and Western Europe. This commitment applies not only to the great security issues which have divided the continent since the war but also to such nonsecurity issues as restraints on freer movement of people, goods, and information.

The objective of improving East-West relations will continue to stand high on the priority list of this administration.

**Statement by the Soviet Representative (Roshchin) to the
Conference of the Committee on Disarmament, June 16, 1970¹**

10. Before beginning our statement on the questions under discussion in the Committee on Disarmament, we wish to associate ourselves, Mr. Chairman, with the words of welcome you have addressed to the newly-appointed representatives to the Committee on Disarmament—Ambassador Petrov, the representative of Bulgaria, and Ambassador Tanaka, the representative of Japan—and to wish them success in their new assignment in the search for a solution to the problem of disarmament. We should also like to express our satisfaction at seeing among us again Ambassador Castañeda, the representative of Mexico; Ambassador Erdembileg, the representative of Mongolia, and Ambassador El Fassi, the representative of Morocco, who have resumed their participation in the work of our Committee. We have always valued highly their collaboration on the problems before the Committee.

11. I should now like to discuss the questions under consideration in this Committee. Today the Committee on Disarmament has again taken up the problems on its agenda. As at its spring session, the Committee has before it such problems as the conclusion of a treaty on prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor, and agreement on a draft convention prohibiting the development, production and stockpiling of chemical and bacteriological weapons and the destruction of their stockpiles. It has also to consider the problems relating to general and complete disarmament, the question of the prohibition of underground nuclear tests, and a number of other matters which have been introduced by various countries. In the present highly tense international situation there is urgent need to increase efforts to solve disarmament problems and to ensure international security.

¹ CCD/PV. 470, pp. 7-11.

12. With respect to prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor, we believe that the Committee should conclude consideration of the draft treaty which was submitted by the Soviet Union and the United States on 23 April this year.² The draft takes into account the opinions and comments of many States, presented both in this Committee and at the twenty-fourth session of the United Nations General Assembly. Thus the draft treaty submitted for the consideration of the Committee is the product of the joint efforts of many countries and constitutes a kind of synthesis of the different positions and points of view of many States.

13. In its statement to the Committee on 23 April this year, the Soviet delegation gave a detailed account of the changes made in the text of the draft treaty.³ As we pointed out, the most important changes are in article III, concerning control. A number of new provisions have been added to those on verification and consultation rights: the right of a State Party to undertake verification, not only with its own means but also with the full or partial assistance of any other State Party; the possibility of referring a matter to the Security Council; the conduct of inspections; and reaffirmation of the requirement that all verification activities shall be conducted with due regard for the sovereign or exclusive rights of a coastal State with respect to the natural resources of its continental shelf under international law.

14. On the proposal of various countries, several new provisions have been inserted in the draft treaty. Thus, the zone covered by the draft treaty has been made more specific by the inclusion in article I of a provision which excludes the possibility of the emplacement of nuclear weapons or other weapons of mass destruction in the zone between the outer limit of the twelve-mile zone and the limit of the territorial waters of other States if their territorial waters are narrower than twelve miles. At different stages in the consideration of the draft articles were inserted concerning amendments, a conference for the revision of the treaty, a statement that the provisions of the treaty do not affect the obligations assumed by States Parties under international treaties establishing zones free from nuclear weapons, and also other changes. Additions were made to the preamble to the treaty.

15. Both the basic text of the draft treaty and the amendments and additions to it were discussed at the summer session of the Committee on Disarmament in 1969 and at its spring session this year, and in the First Committee at the twenty-fourth session of the United Nations General Assembly. Thus the draft treaty in its present form takes into account the views expressed on it. We hope that the States members of the Committee, having had an

² *Ante*, pp. 185-188.

³ *Ante*, pp. 175-180.

opportunity to study carefully and reflect upon this draft, share our view and that work on the treaty will shortly be concluded. That would enable us to devote more attention to other disarmament issues. To drag out our work on the treaty would not favour agreement. It could only complicate our further efforts to limit the sea-bed arms race. Agreement on this issue might then be indefinitely postponed. We fear that any delay in this matter might have an unfavourable effect on further progress towards disarmament.

16. Another important and urgent task facing the Committee is agreement on a draft convention on the prohibition of chemical and bacteriological weapons. This question was discussed in detail at the Committee's spring session. The most significant feature of that debate was that the Committee advanced from general discussion of the problem to an analysis of the practical issues raised by the conclusion of an agreement on the complete prohibition of chemical and bacteriological methods of warfare. The discussion revealed that the views of members of the Committee coincided on a number of important points concerning the total prohibition of chemical and bacteriological weapons. The main point of agreement was the recognition by members of the Committee of the urgent need for such prohibition. Most delegations were in favour of embodying this prohibition in a single agreement covering both bacteriological and chemical methods of warfare.

17. The Committee has before it the proposal, submitted by nine socialist countries, for a draft convention on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and on the destruction of such weapons.⁴ In our opinion the content of the draft and the extent of the prohibition it provides for—that is, the simultaneous prohibition of the production and stockpiling of chemical and of bacteriological methods of warfare—are in accordance with the emerging consensus of opinion in the Committee concerning the direction of our future efforts. On the proposal of Hungary, Mongolia and Poland the draft convention proposed by the socialist countries was supplemented in April of this year by provisions which strengthen the guarantees of its observance by the parties.⁵ That constructive step was taken by the socialist countries to meet the position set forth by some delegations in the Committee and to ensure agreement on the convention as soon as possible.

18. Delay in the preparation of an agreement totally excluding chemical and bacteriological weapons from the military arsenals of States would at present serve only the interests of those trying to

⁴ *Documents on Disarmament*, 1969, pp. 455-457.

⁵ *Ante*, p. 140.

retain these means of warfare and to use them in military operations. It might encourage certain countries to expand the production of such means of warfare and lead to the development of newer and even more dangerous forms of chemical and bacteriological weapons. All this should spur us to try to conclude our work on a draft convention on the total prohibition of chemical and bacteriological weapons as speedily as possible.

19. In addition to seeking agreement on partial disarmament measures such as the demilitarization of the sea-bed and the total prohibition of chemical and bacteriological weapons, the Committee must make an all-out effort to achieve the principal purpose for which it was established—general and complete disarmament. The need to find a fundamental solution to the problem of disarmament is especially urgent now that the scientific and technological revolution has radically transformed warfare and some States have acquired weapons of unprecedented destructive power. The rapid improvement and stockpiling of weapons of mass destruction is fraught with consequences of great danger to mankind, carrying with them the threat of thermonuclear catastrophe.

20. It is obvious, moreover, that the arms race diverts much manpower and precious material resources from constructive uses. As this Committee has more than once been told, the countries of the world together spend \$200,000 million annually for military purposes. No wonder, then that the people are more and more insistently demanding an end to the dangerous and wasteful arms race. Their desire for disarmament is also evident from the General Assembly's decisions on general and complete disarmament and from the statements made by the representatives of many States at the sessions of the General Assembly, in the Committee on Disarmament and at other international conferences and meetings.

21. The Soviet Union is prepared to engage in businesslike and specific discussions with a view to preparing and concluding a treaty on general and complete disarmament, and calls upon all countries, especially the nuclear Powers, to do the same. The Soviet Union is proposing the immediate resumption of discussions on general and complete disarmament because it believes that the negotiation of agreements on certain disarmament measures has accumulated useful experience and the necessary organizational machinery for negotiations on disarmament proper. The work already done on the preparation of a draft treaty on general and complete disarmament has produced some results, which could serve as a starting-point for further efforts in that direction. As we have repeatedly emphasized, the Soviet Union certainly does not propose that the discussions in the Committee on Disarmament should be confined to the problems I have mentioned. As in the past, we are prepared to contribute to the solution of other disarmament problems and to do everything possible to advance the common cause of disarmament.

22. I should like to say in conclusion that the Soviet delegation will spare no effort to ensure that the work of the present session of the Committee on Disarmament is effective and that the Committee contributes to the solution of the disarmament problem and to the strengthening of international security.

Statement by the United States Representative (Leonard) to the Conference of the Committee on Disarmament, June 16, 1970¹

23. Mr. Chairman, may I first join you in the welcome extended to the representatives who are today heading their delegations for the first time: Ambassador Petrov and Ambassador Tanaka; and also welcome back the three representatives who have been with us before and are now rejoining us at this session: Ambassador Castañeda, Ambassador El Fassi and Ambassador Erdembileg?

24. As our Conference renews its work today after a six-week recess I think it is appropriate to quote a statement by President Nixon in his report on United States foreign policy for the 1970s. In that report he said:

... there is no greater idealism, no higher adventure than taking a realistic road to peace. It is an adventure realized, not in the exhilaration of a single moment, but in the lasting rewards of patient, detailed and specific efforts—a step at a time.²

It is through such detailed efforts that this Committee, by formulating effective arms control and disarmament agreements, can play an important role in helping to build the framework for a durable peace. In this light I want to comment briefly on the specific steps we might take here this summer and on the approach of the United States delegation to these matters.

25. On 23 April the United States and the Soviet Union submitted a draft treaty, revised for the second time as a result of our discussions, to ban the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed.³ I hope that during our recess all governments represented here have had an opportunity to study that revised draft. We look forward to hearing their comments on it.

26. When the Secretary-General of the United Nations spoke to us in this Committee on 18 February he pointed out that the elaboration and submission to the General Assembly of an agreed sea-bed treaty would be an important step in preventing the danger of the spread of a nuclear arms race to a vast area of our planet.⁴ This, indeed, is the central purpose of the treaty. It is the purpose that the United States has had very much in mind

¹ CCD/PV. 470, pp. 11-13.

² *United States Foreign Policy for the 1970's: A New Strategy for Peace* (H. doc. 91-258, 91st Cong., 2d sess.), p. 155.

³ *Ibid.*, pp. 185-188.

⁴ CCD/PV. 450, p. 7.

throughout these negotiations, because we believe that, as President Nixon said in his policy report: "the spread of weapons of mass destruction to this new realm would complicate the security problem of all nations and would be to no nation's advantage."⁵

27. During our discussions this summer let us aim above all at the achievement of our main objective—to ensure that the prohibition embodied in this draft will become a widely-accepted international treaty commitment with binding force. If that objective is kept in mind we should be able to transmit to the General Assembly a draft treaty that has broad support in this Committee.

28. During our spring session extensive and probing debate took place regarding the question of restraints on the development and production of chemical and biological weapons. We remain convinced that the best possibility for early and significant progress in this area lies in the negotiation of a ban on the production, stockpiling and use of biological weapons. We have described in considerable detail the threats posed to all by biological weapons and the reasons why we believe that progress on banning those weapons is feasible and desirable at this time. We hope that during the summer recess members of the Committee have considered the proposal by the United States⁶ to broaden the coverage of the United Kingdom draft convention⁷ to include toxins. Coverage of these particularly deadly agents will broaden the significance and the impact of the convention on biological warfare.

29. The discussions in the Committee this spring, we believe, helped us to gain a clearer picture of the problems involved in attempting to elaborate a simultaneous and comprehensive ban on both chemical and biological weapons. In its interventions the United States delegation discussed the special problems posed by chemical agents. In the weeks ahead we plan to share with the Committee further results of our research in this area in the hope that these data will contribute to a fuller understanding of the problems of chemical weapons.

30. As I mentioned at the conclusion of the spring session,⁸ we will have before us this summer the General Assembly resolution on general and complete disarmament.⁹ We hope our discussions on this topic will help in our search for promising and practical approaches in the field of arms control and disarmament. The United States delegation has devoted considerable study to this question during the recess, and we will outline our thoughts in this area in a plenary statement early in the session.

31. In taking the floor today I have touched on a few of the

⁵ *Ante*, p. 31.

⁶ See *ante*, p. 189.

⁷ *Documents on Disarmament*, 1969, pp. 431 ff.

⁸ *Ante*, p. 202.

⁹ *Documents on Disarmament*, 1969, pp. 713-715.

major issues that the Committee will have for consideration this session. There are other important items already on our agenda or referred to us by the United Nations General Assembly, such as the comprehensive test ban and the cut-off in the production of fissionable materials for weapons; and I am sure that a number of delegations will have important proposals for us to consider this summer. If we are to give all of these issues the careful attention and study that they deserve, and at the same time to complete our work in advance of the twenty-fifth anniversary session of the United Nations General Assembly, we will have to proceed with a clear perception of our priorities and purposes. For its part, the United States delegation looks forward to working closely with our colleagues around this table in the common effort to make this session a fruitful one.

**Statement by the Japanese Representative (Tanaka) to the
Conference of the Committee on Disarmament, June 18, 1970¹**

First of all I should like to express my deep appreciation for the warm welcome extended to me by members of this Committee. It is indeed a great pleasure for me to be able to take part in the discussions of this Committee at the very time when it is taking an important step towards the goal of the Disarmament Decade; and I will do all in my power to co-operate with the other members of this Committee to make our discussions even more fruitful.

25. The United Nations General Assembly adopted last year resolution 2602 E (XXIV) relating to the Disarmament Decade, in which it requested the Conference of the Committee on Disarmament to work out a comprehensive disarmament programme, dealing with all aspects of the problem of the cessation of the arms race and general and complete disarmament under effective international control, and to report thereon to the General Assembly at its twenty-fifth session.² In response to that request a number of invaluable suggestions were put forward at the last session of this Committee. Now, during this session, we are to prepare a programme to be submitted to the General Assembly of the United Nations.

26. In formulating a disarmament programme we need to make a clear-headed assessment as to how much headway it will be possible for us to make in the coming decade towards general and complete disarmament. I have to note in this context that one of the fundamental factors which make the achievement of general and complete disarmament difficult is that not all of the militarily-important States have yet taken their seats at the

¹ CCD/PV. 471, pp. 11-15.

² *Documents on Disarmament*, 1969, pp. 713-715.

negotiating table. Nevertheless, some of the measures envisaged in the proposals on general and complete disarmament submitted in 1962 by the United States and the Soviet Union respectively have been achieved.³ For instance, the prohibition of nuclear weapon tests has been partially realized,⁴ and treaties on the peaceful use of outer space⁵ and on the non-proliferation of nuclear weapons⁶ have also been concluded. We regard these measures as important milestones towards general and complete disarmament. Taking these circumstances into consideration I submit that what we should do urgently in the Disarmament Decade is to deal energetically and in a concrete manner with such disarmament measures as can be taken even before all the militarily-important States are participating in disarmament negotiations, and I feel that this is a realistic approach.

27. The Committee has recognized that it is necessary to give highest priority to further effective measures relating to the cessation of the nuclear arms race at an early date and to nuclear disarmament. First, as for the prohibition of underground nuclear weapon tests, much depends upon the political decisions of the two super-Powers; and that is part of the reason why we must solve the problem of how to discover adequate means of verification which will ensure compliance with a treaty relating to this question. In order to make progress in our efforts to solve this technical problem the United Nations General Assembly adopted last year, on the initiative of Canada, a resolution calling for the submission of data on national seismograph stations.⁷ As one of the co-sponsors of the resolution, my country cannot help expressing its regret that a certain number of States have refused to supply the data requested. Since we are requested by the General Assembly to submit to it a special report on the results of our deliberations relating to the banning of underground nuclear weapon tests, and since we also need to make a follow-up study of the data supplied by various countries, I feel it is necessary for us to consider how to deal with the present question, taking into account the views of experts.

28. The problem of verification again presents a great obstacle in the matter of the halting of the production of fissionable materials for use in weapons; but I believe that it must be possible to apply as a verification measure in this case a system of safeguards similar to that which is to be applied to non-nuclear-weapon States by the International Atomic Energy Agency under the Treaty on the Non-proliferation of Nuclear Weapons. If there are States which find that view unacceptable, I think they should submit proposals of their own.

³ For the revised Soviet and U.S. proposals, see *ibid.*, 1965, pp. 77-102, 111-140.

⁴ *Ibid.*, 1963, pp. 291-293.

⁵ *Ibid.*, 1967, pp. 38-43.

⁶ *Ibid.*, 1968, pp. 461-465.

⁷ *Ibid.*, 1969, pp. 719-722.

29. Since our work on drawing up a treaty prohibiting the emplacement on the sea-bed of nuclear weapons and other weapons of mass destruction has entered its final stage, the member States of this Committee should make a united effort to complete the formulation of a draft treaty at the earliest possible date.

30. It might be difficult, generally speaking, to take non-nuclear disarmament measures before all the militarily-important States are participating in disarmament negotiations. While admitting that, I should like to suggest that, among non-nuclear measures, the prohibition of chemical and biological weapons could be achieved at a relatively early date. That is because all the militarily-important States have undertaken, either in international instruments or in government statements, to refrain from the first use of poisonous gases and bacteriological weapons. On 21 May this year Japan deposited with the French Government its instrument of ratification of the Geneva Protocol of 1925 without attaching any reservation.⁸ It is well known, however, that many States have attached reservations to the Protocol, notably reservations relating to the retaliatory use of such weapons. We hope that these States will withdraw their reservations as soon as possible. At the same time we should make even more strenuous efforts towards banning the development, production and stockpiling of chemical and biological weapons, to ensure that recourse will never, in any circumstances, be had to such weapons.

31. We should also do our utmost to achieve universal adherence to the treaties on arms control or disarmament which have been concluded in the past. The Treaty on the Non-Proliferation of Nuclear Weapons entered into force on 5 March this year; but the safeguards agreements to be concluded with the International Atomic Energy Agency in accordance with article III of the Treaty still depend on future negotiations. I should like to point out, in that connexion, that in order to make the non-proliferation Treaty effective the participation of as many States as possible, especially all the potential nuclear-weapon States, is essential. That is part of the reason why we consider that safeguards agreements should be so formulated as to be acceptable to those States which are promoting the peaceful uses of nuclear energy. As one of the major industrial Powers, Japan attaches great importance to the progress and results of the negotiations relating to the conclusion of safeguards agreements.

32. It is indeed welcome that strategic arms limitation talks have been initiated between the United States and the Soviet Union with a view to achieving the cessation of the nuclear arms race at an early date, and we sincerely hope that the two States will push forward in their pursuit of the objectives of the

⁸ *Ibid.*, pp. 764-765.

negotiations without being influenced by momentary fluctuations in the international situation. The success of those talks would certainly contribute to the lessening of tensions in East-West relations and, furthermore, to the strengthening of the security of States throughout the world. I believe, therefore, that the entire world eagerly desires the success of the talks, and I earnestly hope that the Governments of the United States and the Soviet Union will not disappoint the hopes of the world.

33. While general and complete disarmament is the earnest wish of humanity, I believe that my country, which firmly adheres to its Constitution, which renounces war, is in a position to play a unique role in achieving that objective. We are well aware that disarmament and security are closely interrelated and we have no intention of turning our eyes away from the hard fact that the national security of the States of the world is dependent upon the existence of a military balance; nor can we deny that there are extremely difficult problems involved in achieving general and complete disarmament.

34. One of the prerequisites for attaining the goal of general and complete disarmament is the participation of all the militarily-important States; and we hope that the Governments of the People's Republic of China and the Republic of France will take part in international disarmament negotiations as soon as possible. Pending the participation of those two States in this Committee, we should welcome the holding of talks between States outside the Committee for the relaxation of international tension and the achievement of various disarmament measures. With the development of weapons of mass destruction there has evolved among the militarily-important States a sense of mutual restraint with regard to the use of such weapons; and all these States now have bilateral channels of communication. I am convinced that it is the strengthening of such channels and the evolution of a sense of collective responsibility for international security without regard to differences in social systems or to the conflict of national interests that will direct us towards the way to general and complete disarmament.

35. The question of verification has in the past prevented the achievement of measures of disarmament. While differences in conditions between States are primarily responsible for our failure to solve the verification problem, technical developments in recent years have provided us with some of the answers to that problem. Moreover, increased communication throughout the world is an irreversible trend. The decade of the 1970s, which has been declared the Disarmament Decade, will also be a time of rapid change. It is my firm belief that the replacement of suspicion and distrust by the principle of openness and the spirit of international solidarity is the key to the attainment of general and complete disarmament.

Statement by the Soviet Representative (Roshchin) to the Conference of the Committee on Disarmament: Chemical and Bacteriological Weapons, June 18, 1970¹

37. One of the important results of the discussion of chemical and bacteriological weapons at the twenty-fourth session of the United Nations General Assembly was its adoption of a resolution inviting—

... all States which have not yet done so to accede to or ratify the Geneva Protocol in the course of 1970 in commemoration of the forty-fifth anniversary of its signing and the twenty-fifth anniversary of the United Nations.²

This is the resolution to which you yourself, Mr. Chairman, have just referred.

38. Yesterday, 17 June, was the forty-fifth anniversary, to the day, of the signing of that agreement. In this connexion we would say, first of all, that we have noted with interest the statement made by U Thant, the Secretary-General of the United Nations, on the forty-fifth anniversary of the Geneva Protocol for the prohibition of the use in war of asphyxiating, poisonous or other gases, and of bacteriological methods of warfare.³ That statement concerns an important question, the prohibition of the use of chemical and bacteriological weapons, and we shall study it with due care. In connexion with yesterday's forty-fifth anniversary of the signing of the Geneva Protocol we would observe that the Protocol gave expression to mankind's desire to consolidate, in the form of a treaty between States, the prohibition of the use of those agents for military purposes. Of course, the use of chemical and bacteriological weapons in war has always been condemned. The history of international relations provides clear evidence that prohibition of the use of chemical and bacteriological weapons for military purposes has become a generally-recognized rule of international law. The Geneva Protocol of 1925 reflects this universal awareness, which is why the Protocol states that its purpose is "that this prohibition shall be universally accepted as a part of International Law, binding alike the conscience and the practice of nations".

39. The signing of the Geneva Protocol of 1925, soon after the end of the First World War, reflected the peoples' condemnation of the use of chemical weapons during that war. The wave of revulsion caused throughout the world by the use of chemical weapons called for a juridical confirmation of what was already unchallenged politically and morally: the prohibition of the use of chemical weapons. At the same time a provision was inserted in

¹CCD/PV. 471, pp. 15-18.

²The resolution may be found in *Documents on Disarmament, 1969*, pp. 717-719. For the protocol, see *ibid.*, pp. 764-765.

³For a summary of the Secretary-General's statement, see *UN Monthly Chronicle*, vol. VII, no. 7 (July 1970), p. 79.

the Protocol extending the prohibition to bacteriological methods of warfare.

40. The past forty-five years have convincingly demonstrated the importance of the Geneva Protocol, which lies above all in the fact that the Protocol has served and continues to serve as an important means of preventing the outbreak of a war involving the use of chemical and bacteriological weapons. Who can say what disasters might have befallen mankind during the Second World War if chemical and bacteriological weapons had been widely used in it? Hitlerite Germany dared not disregard the warning of the allied Powers that the use of such weapons in warfare could not be tolerated. That warning, as we know, was based on the Geneva Protocol of 1925.

41. The Protocol is becoming even more important in our day. The progress of chemical and biological science, which has brought great benefits to mankind, has at the same time made it possible to create types of chemical and bacteriological agents whose use might not only inflict enormous loss of human life and incalculable economic damage but might even adversely affect the future development of human civilization. In that connexion it is particularly significant that the prohibition laid down in the Geneva Protocol has a universal character, comprising all forms of chemical and bacteriological weapons without exception. In its resolution 2603 A (XXIV) the United Nations General Assembly designedly drew the attention of States throughout the world to this fact by stating that the Geneva Protocol—

... embodies the generally recognized rules of international law prohibiting the use in international armed conflicts of all biological and chemical methods of warfare, regardless of any technical developments.⁴

This resolution undoubtedly put an end to all attempts to place any other construction on the contents of the Geneva Protocol or to minimize its significance.

42. The Soviet delegation notes with satisfaction that in recent years many States have acceded to the Geneva Protocol, thus bearing witness to the effectiveness and importance of that international instrument. Unfortunately it must be noted that not all the countries of the world have decided to condemn the use of chemical and bacteriological weapons outright. The United States, a Power of very great military importance, has not yet ratified the Geneva Protocol. The concern felt by the peoples of the world on that account is increased by the knowledge that the United States possesses a large arsenal of the types of weapons prohibited by the Protocol.

43. The Geneva Protocol of 1925 was actually the first agreement prohibiting the use in war of one of the weapons of

⁴ *Documents on Disarmament, 1969*, pp. 716-717.

mass destruction. In that sense it is a truly historic document. The conclusion of the Protocol demonstrates that it is possible to reach effective agreements prohibiting weapons of mass destruction and to define clearly the course to be followed to achieve that end. That is particularly important at this moment, when we are conducting negotiations for the conclusion of an international convention on the prohibition of the production and stockpiling of chemical and bacteriological weapons. As many delegations observed at the Disarmament Committee's last series of meetings, the Geneva Protocol should become the starting point for further measures designed to achieve the complete elimination of chemical and bacteriological weapons from the life of human society.

44. The draft convention on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons submitted by the socialist countries⁵ and now before the Committee on Disarmament proceeds from those very premises. Under the preamble to the convention the parties would recognize the important significance of the Geneva Protocol of 1925, reaffirm their adherence to the purposes and principles of the Protocol and condemn all actions contrary to it. The Convention, like the Protocol, covers both chemical and bacteriological weapons. We take this opportunity to express once again our conviction that the conclusion of an international agreement based on the text submitted by the socialist countries will complete the work begun by the Geneva Protocol.

45. On the occasion of the forty-fifth anniversary of the signing of the Protocol we express the hope that the Committee on Disarmament will speed its work on the problem of freeing mankind from the threat of warfare with chemical and bacteriological weapons. This would be the best continuation of what was started in 1925 and would meet the responsibilities placed upon our Committee.

**Budapest Communiqué of Warsaw Pact
Foreign Ministers [Extract], June 22, 1970¹**

At the conference, which was held in a spirit of friendship and mutual understanding, there was an exchange of opinions on certain urgent problems in the development of the situation in Europe.

The Ministers affirmed their governments' conviction that an all-European conference would make an important contribution to achieving detente, strengthening security and broadening peaceful

⁵ *Ibid.*, pp. 455-457.

¹ *Pravda*, June 24, 1970, p. 4; *Current Digest of the Soviet Press*, vol. 22, no. 25 (July 21, 1970), p. 19.

cooperation in Europe. In this connection, special attention was devoted to questions of stepping up preparations for an all-European conference.

There was an exchange of information on the bilateral and multilateral contacts and consultations that have been held in recent months between the interested states on questions of convening an all-European conference.

The governments of the countries represented at the conference took note of the broad and, on the whole, favorable response to their proposals, put forth in Prague in October, 1969,² a response that attests to the realism and vitality of these proposals, which are consistent with the interests of safeguarding security and developing cooperation in Europe; also, the governments examined with due attention the considerations expressed on this score by various parties. They concluded that favorable conditions are being created at present for placing the preparation of the all-European conference on a practical basis.

The conference stressed the desirability of direct participation by interested states at every stage of preparations for, and organization of, an all-European conference, in such forms as are deemed expedient, including appropriate preparatory meetings between representatives of these states.

Taking this into consideration, the Ministers reached an agreement on further important steps to ensure the convocation, fruitful work and success of an all-European conference. They are directed in particular toward reaching agreement on an agenda acceptable to all interested states and on methods for preparing an all-European conference, on which work could be started without delay.

The participants in the conference assume that in the process of preparing and organizing the conference, all interested countries will act in a spirit of cooperation in examining constructive proposals, in order to help find solutions acceptable to all the participants in an all-European conference. . . .

A corresponding document was unanimously approved and will be conveyed to the governments of all interested states.

Budapest Memorandum of Warsaw Pact Foreign Ministers on European Security. June 22, 1970¹

The governments of the People's Republic of Bulgaria, the Hungarian People's Republic, the German Democratic Republic,

² *Documents on Disarmament, 1969*, pp. 526-528.

¹ *Pravda*, June 27, 1970, p. 4; *Current Digest of the Soviet Press*, vol. 22, no. 26 (July 28, 1970), p. 27. The Hungarian Government transmitted the memorandum to states that might participate in a conference on European security.

the Polish People's Republic, the Socialist Republic of Rumania, the Union of Soviet Socialist Republics and the Czechoslovak Socialist Republic deem it necessary to bring to the attention of the interested states their considerations, which in their opinion would serve the interests of the preparation and convocation of an all-European conference on questions of security and cooperation in Europe.

They note with satisfaction that during bilateral and multilateral consultations and an exchange of opinions the positions of the interested states grew closer on a number of important questions related to the all-European conference. The results of the consultations and the exchange of opinions show that the proposals made in Prague in October, 1969,² created the basis for transferring, already in the immediate future, the preparation of the all-European conference to a practical foundation and, along with bilateral talks, to multilateral forms of preparing the all-European conference. The direct participation of the interested states is desirable at every stage of the preparation and organization of the all-European conference in the forms that will be deemed expedient, including appropriate preparatory meetings between representatives of these states.

The question of the makeup of the conference participants has been clarified—all European states may take part, including the G.D.R. and the F.R.G.—on an equal footing with each other and on the basis of equal rights with the other European states—and also the U.S.A. and Canada. The initiative of the government of Finland to hold the conference in Helsinki is being greeted favorably. It is understood that convocation of the conference should not be made dependent on any preconditions.

In many countries the opinion is shared that a successful first all-European conference—the preparation, organization and convocation of which must be the result of a contribution by all the interested states—would facilitate joint consideration in the future of other European problems, particularly the problem of creating a stable European security system, and that in this connection it would be advantageous to hold a number of all-European conferences and to create an analogous body of all interested states on questions of security and co-operation in Europe.

Continuing is the discussion of questions of the content of the work of the all-European conference and its agenda. The two items proposed in Prague for the conference agenda meet the interests of safeguarding security and developing cooperation in Europe and are questions on which there is a possibility of achieving wide agreement. These proposals have not raised fundamental objections. At the same time, a number of states are advocating an extension of the conference agenda.

² *Documents on Disarmament*, 1969, pp. 526-528.

Guided by a desire to reach agreement on an agenda for the all-European conference that is acceptable to all the interested states, the governments of the People's Republic of Bulgaria, the Hungarian People's Republic, the German Democratic Republic, the Polish People's Republic, the Socialist Republic of Rumania, the Union of Soviet Socialist Republics and the Czechoslovak Socialist Republic propose to include in the all-European conference also the question of creating a body on questions of security and cooperation in Europe.

The governments that have adopted the present memorandum believe that the interests of detente and security in Europe would be served by consideration of the question of reducing foreign armed forces on the territory of European states. In order to create as quickly as possible the most favorable conditions for discussing the appropriate questions at the all-European conference and in the interests of productive consideration of the question regarding a reduction of foreign armed forces, this question could be discussed in the body whose creation at the all-European conference is proposed, or in another form acceptable to the interested states.

Moreover, they believe that it would be possible to discuss, within the framework of the second item of the agenda proposed in Prague, questions of the environment, and also to enlarge this item by including in it a provision on the development of cultural ties.

Thus, the following questions could be submitted for the consideration of the all-European conference:

- the safeguarding of European security and renunciation of the use of force or the threat of its use in interstate relations in Europe;

- expansion on an equal basis of trade, economic, scientific, technical and cultural ties, directed toward the development of political cooperation between the European states;

- creation at the all-European conference of a body for questions of security and cooperation in Europe.

The governments of the People's Republic of Bulgaria, the Hungarian People's Republic, the German Democratic Republic, the Polish People's Republic, the Socialist Republic of Rumania, the Union of Soviet Socialist Republics and the Czechoslovak Socialist Republic express the hope that the proposals contained in the memorandum, which take into account the opinions expressed by many interested states, will meet with favorable response from the governments concerned. These proposals are directed particularly toward reaching agreement on an agenda acceptable to all the interested states and on methods of the preparation of the all-European conference, which may be begun already in the immediate future.

The governments issuing the present memorandum are con-

vinced that the convocation of an all-European conference—resulting from the joint efforts of all interested states—would be an important contribution to the achievement of rapprochement, the strengthening of security and the furthering of peaceful cooperation in Europe.

Statement by the United States Representative (Leonard) to the Conference of the Committee on Disarmament: General and Complete Disarmament, June 23, 1970¹

2. It is essential for meaningful consideration of the question of general and complete disarmament to appreciate the context in which we strive to make progress towards this goal. The interrelationship of disarmament and international affairs is central. The disarmament policies of all governments are only one aspect of their foreign policies; and their disarmament policies, like their foreign policies, are shaped by their aspirations, their expectations, their concerns and even their fears regarding the world situation, and by what they judge to be their national security interests.

3. The resolution on general and complete disarmament adopted by the twenty-fourth session of the United Nations General Assembly² differed in several respects from those of earlier years. The most important difference was that, instead of urging us to renew our efforts towards progress in reaching agreement on general and complete disarmament, this resolution requested that we work out a comprehensive programme dealing with all aspects of the problem of the cessation of the arms race and general and complete disarmament as a guide for our further work and negotiations. The United States, members will recall, had reservations about the language of this resolution; but we voted for it because we believed it was both reasonable and important for this Committee to take up questions that would be involved in the elaboration of any programme regarding disarmament.

4. In my statement today I intend to discuss the question of general and complete disarmament in relation to that resolution. In doing so I shall first talk about the context of general and complete disarmament—that is, the progress which must be made in the world if we are to make real progress towards general and complete disarmament. I shall then discuss in general terms arms control and disarmament measures and their relation to the goal of general and complete disarmament.

5. I want to make clear at the outset that we continue to support the goal of general and complete disarmament. At the same time, however, I think that all of us will agree that progress

¹CCD/PV. 472, pp. 5-15.

²*Documents on Disarmament*, 1969, pp. 713-715.

towards general and complete disarmament cannot be made in a vacuum but will have to be accompanied by concrete progress towards a peaceful world. Such a peaceful world, in which general and complete disarmament could be realized, would be:

- A world in which the rule of law, and not the use of force, prevailed in relations between States;

- A world in which there were agreed standards of international behaviour;

- A world in which effective means of enforcing international agreements and settling disputes had been established and were utilized;

- A world in which there prevailed a spirit of confidence, openness, and a recognized community of interests among States.

6. This is, basically, the context of general and complete disarmament foreseen in the Agreed Principles for Disarmament Negotiations of 1961. While we must be careful, in discussing disarmament guidelines, not to lift out of context excerpts from earlier agreements, it is relevant to note that the first of the 1961 Principles states that—

The goal of negotiations is to achieve agreement on a programme which will ensure that (a) disarmament is general and complete and war is no longer an instrument for settling international problems, and (b) such disarmament is accompanied by the establishment of reliable procedures for the peaceful settlement of disputes and effective arrangements for the maintenance of peace in accordance with the principles of the United Nations Charter.³

7. We believe that progress towards such a world, towards halting the competition in arms and towards general and complete disarmament can and indeed must be made. As we look back over the 1960s we see that advances have already been made. As we look forward to the 1970s we see reason to hope that greater progress will be registered. But continuing progress towards general and complete disarmament will not depend exclusively on our planning or negotiations in the Conference of the Committee on Disarmament. It will depend in large part upon the existence of a suitable international political climate, important aspects of which will be:

- The steadfastness of States in pursuing their interests in a spirit of accommodation and in accordance with the fundamental principles and objectives of the Charter of the United Nations;

- Strengthening the United Nations through the creation of effective machinery for international peacekeeping;

- Regional efforts to develop institutions to preserve the peace and to cope with local problems and disputes;

- A desire on the part of all important military Powers to associate themselves with existing constraints on armaments and to enhance prospects for effective disarmament negotiations.

³ *Ibid.*, 1961, pp. 439-442.

8. In discussing the framework for a durable peace in his report on foreign policy for the 1970s, President Nixon pointed out that "peace requires a willingness to negotiate".⁴ And he went on to say that we "are working toward the day when *all* nations will have a stake in peace, and will therefore be partners in its maintenance."

9. With respect to regional peacekeeping, Articles 33 and 52 of the United Nations Charter envisage regional efforts that can contribute to preserving peace. We should note that some successes in regional mediation of disputes have been scored in the past decade. More effective regional action should be encouraged as the institutions for regional action evolve. And, if we are to move towards a world conducive to greater progress in disarmament, it is of importance that the United Nations do the job called for by its Charter in maintaining peace. United Nations peacekeeping should be developed to contain violence and to prevent the escalation of conflicts. What is required here is the determination of all United Nations Members to use United Nations institutions effectively. The co-operation of contending parties will certainly be required, as well as the support of those nations on which the United Nations must depend for manpower and funds.

10. I have touched on issues that are beyond the immediate range of our negotiations in order to highlight the context in which progress toward general and complete disarmament can be made. It is that context that we must keep constantly in mind if our debate on this issue is to be realistic.

11. I shall turn now to some general aspects of arms races and of arms control and disarmament measures. When we speak about stopping arms races we should keep in mind the great diversity of forces at work in the world making arms races what they are, the wide range of governmental and even individual activities related to them, and the variety of approaches that have been suggested for bringing arms races under control. We are dealing here indeed with the realm of modern science and technology, with decisions about weapon systems, force levels and deployments, and with concepts of deterrence, stability and credibility. Our subject is inextricably bound together with basic national security concerns, with alliance and treaty commitments, and with other facets of foreign, domestic and ideological policies. It is influenced by the activities of all States interacting with one another and by domestic priorities and public attitudes.

12. I have mentioned a few of the almost limitless aspects of our problem, not to discourage the Committee from taking up the challenge the United Nations General Assembly has presented to us, but rather as a backdrop for the approach that we shall suggest

⁴ *United States Foreign Policy for the 1970's: A New Strategy for Peace* (H. doc. 91-258, 91st Cong., 2d sess.), p. 4.

today. This approach involves, first, a recognition of the context in which we in this Committee work—that is, a continually-changing world whose future, as we all know, neither the representatives in these negotiations nor their governments can confidently predict or completely control. It is this world, and not abstract concepts, that will be the framework for arms control and disarmament.

13. If we stop to think for a minute about the world as it is likely to develop during the 1970s, we must recognize that it will be neither a static nor a placid world. The pattern of international politics is changing, and perhaps faster now than at any time since the Second World War. This process of change, of accelerating scientific discoveries and social evolution, is inevitable—in fact, it is essential for progress; but it is also a process accompanied by turbulence. It is in terms of this world that governments will decide their disarmament policies during the decade of the 1970s.

14. I noticed with interest at our meeting last Thursday that the representative of Japan expressed some important ideas about general and complete disarmament, which I think it would be well for us to keep in mind. Referring to the decade of the 1970s, the Disarmament Decade, as a time of rapid change, he said:

... the replacement of suspicion and distrust by the principle of openness and the spirit of international solidarity is the key to the attainment of general and complete disarmament.

Mr. Tanaka also called to our attention that disarmament and security are closely interrelated. He said:

... we have no intention of turning our eyes away from the hard fact that the national security of the States of the world is dependent upon the existence of a military balance; nor can we deny that there are extremely difficult problems involved in achieving general and complete disarmament.⁵

15. There is, of course, another side to the interaction between disarmament and world affairs. The successful negotiation of arms control and disarmament measures, and broad adherence to them, can contribute to the improvement of international relations. The elaboration of arms-control treaties reflecting the interests of many countries demonstrates how relations among States can be altered and organized to the general benefit. And the implementation of such measures encourages a broad spectrum of international co-operation. This experience in turn helps to establish the mutual confidence that can lead to still further progress towards disarmament and towards a peaceful world in general.

16. There are, of course, other direct benefits from progress in arms control and disarmament. President Nixon pointed out in his foreign policy report that—

The traditional course of seeking security primarily through military strength raises several problems in a world of multiplying strategic weapons:

⁵ *Ante*, p. 241.

- Modern technology makes any balance precarious and prompts new efforts at ever higher levels of complexity;
- Such an arms race absorbs resources, talents and energies;
- The more intense the competition, the greater the uncertainty about the other side's intentions;
- The higher the levels of armaments, the greater the violence and devastation should deterrence fail.⁶

17. The considerations I have described lead us to view arms control and disarmament as a complex of efforts at many levels, of efforts that attempt to deal, at times simultaneously, with the many individual but interrelated aspects of the whole range of arms and security issues. For so complex a field cannot be dealt with effectively through one simple, direct process.

18. There are several ways in which progress in arms control and disarmament can be achieved:

- Through multilateral negotiation of global measures like the limited test-ban Treaty,⁷ the outer-space Treaty,⁸ and the non-proliferation Treaty;⁹

- Through regional negotiations and arrangements such as the Treaty of Tlatelolco,¹⁰ possible mutual and balanced reduction of forces in Europe, and possible arms limitations in areas of local conflict;

- Through bilateral negotiations like the current United States-Soviet discussions on the limitation of strategic arms (SALT); and

- Through unilateral decisions which might be emulated or reciprocated by other States.

19. While formal negotiations have so far led to the greatest achievements, and while multilateral negotiations of global measures are of particular significance for the Conference of the Committee on Disarmament, we should not overlook the importance of steps that States can take individually. These can include decisions to forego or limit new weapons systems, to scale down standing forces, to encourage public awareness of the need for restraint in arms development, and to improve the possibilities for effective verification of agreements.

20. In referring to his decision on chemical and biological weapons, President Nixon stated that—

We are prepared to take any unilateral arms control action that will not compromise our security and will minimize the danger that certain weapons will ever be developed or used by any nation.¹¹

21. Turning from the method to the substance of arms control and disarmament measures, we can identify several forms

⁶ *Ante*, p. 27.

⁷ *Documents on Disarmament*, 1963, pp. 291-293.

⁸ *Ibid.*, 1967, pp. 38-43.

⁹ *Ibid.*, 1968, pp. 461-465.

¹⁰ *Ibid.*, 1967, pp. 69-71.

¹¹ *Ante*, p. 30.

of classification. First, measures can be considered, as they were in the agenda adopted by the Eighteen-Nation Committee on Disarmament in 1968, in terms of:

- Measures relating to the cessation of the nuclear arms race and to nuclear disarmament;
- Non-nuclear measures; other collateral measures; and
- General and complete disarmament. They can also be considered, along the lines suggested in our report last year to the General Assembly of the United Nations; as:
 - Confidence-building measures;
 - Measures to prevent armaments; measures to limit armament; and
 - Measures of disarmament.¹² There is another method of categorization which I think we should keep in mind, namely:
 - Measures already achieved;
 - Measures that might be negotiated under present conditions;
 - And measures that might be negotiated in the future as progress is made toward a peaceful world.

22. The United States delegation believes that all of these classifications are valid; but the last one seems to us to be the most useful in terms of advancing our work. For unless a measure accords with the realities of world affairs, the measure will not be achieved simply by including it in some sort of schedule. It is therefore a major responsibility of this Committee to identify those measures that do accord with present world realities or the realities of the immediate future.

23. It will be central in a discussion based on this approach to have the expression by any delegation of its views on whether particular measures can and should be elaborated immediately or considered at a later time. We believe, however, that it is likely to be futile and perhaps even harmful to engage in debates in which we attempt to produce an agreement on a particular order of measures. For the point of our discussions should not be to draw up elaborate charts—such charts do not determine whether proposals become widely-accepted international agreements. Rather, the point is to develop a consensus on which proposals are ripe or will soon be ripe for serious, detailed negotiations.

24. The main point, then, of the 1969 resolution of the United Nations on general and complete disarmament is, in our view, a very simple, straightforward question: where do we stand today in the field of arms control and disarmament, and what are our prospects for the future? In answering this question it is useful first to review what has already been achieved, since past efforts have left us with unfinished business and have perhaps opened opportunities for further steps.

¹² *Documents on Disarmament, 1968*, pp. 583-584.

25. One of the most important measures achieved through negotiations before the Second World War was the 1925 Geneva Protocol.¹³ This measure limits the use, or at least the first use, of certain types of weapons. It does not, however, prevent or limit the development of those armaments. That task is still ahead of us.

26. After the war the first measure achieved was the Antarctic Treaty¹⁴, which is now more than a decade old. This measure limits all armaments in one part of the world; it has encouraged international co-operation and scientific research, and it has been an example for later agreements.

27. In 1963 we achieved the limited test-ban Treaty, which placed certain restraints on the testing of nuclear weapons and limited radio-active contamination of the atmosphere. The preamble expressed the intention of the parties to seek to achieve the discontinuance of all test explosions of nuclear weapons.

28. In 1967 negotiations were completed on the Latin-American nuclear-free zone, the Treaty of Tlatelolco, a measure which prohibits the acquisition of nuclear weapons in a specific region of the world. Moreover, 1967 saw the entry into force of the outer-space Treaty, which prevents the introduction of nuclear weapons in an area which man is just beginning to explore. The outer-space Treaty made a significant contribution to strategic stability.

29. The non-proliferation Treaty, which came into effect this year, is, we believe, the most significant arms-control step to date. The non-proliferation Treaty has highlighted the need for further arms-control and disarmament negotiations; and these are in fact under way today. The Treaty will facilitate the continuation and expansion of international co-operation in the field of peaceful uses of nuclear energy; and the successful implementation of the safeguards envisaged in its article III will represent an unprecedented advance in the scope and importance of international safeguards.

30. I turn now to measures that might be negotiated in the light of the present world situation. During the past year the Conference of the Committee on Disarmament has devoted careful study to the problem of the elimination of chemical and biological weapons. An early agreement banning biological agents is clearly possible; it would be a significant disarmament measure. We have made a great deal of progress in negotiating a prohibition on the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed. I might note here that the complexities we have encountered in fashioning a widely-acceptable measure for the sea-bed illustrate how international concerns outside the area of arms control and disarmament interact with the work of this Committee.

¹³ *Ibid.*, 1969, pp. 764-765.

¹⁴ *Ibid.*, 1945-1959, vol. II, pp. 1550-1556.

31. The Conference of the Committee on Disarmament is also studying the problems involved in achieving a comprehensive ban on the testing of nuclear weapons, a subject to which the General Assembly has attached great urgency. The United States delegation has proposed negotiation of a cessation of the production of fissionable materials for use in weapons; and a number of other delegations have strongly supported that proposal.

32. That is not a compendium of all measures that have in one form or another been put forward by various delegations; but it is sufficiently extensive to bring us to the next question: what further measures do members of the Committee believe have serious possibilities of being negotiated now or in the near future? The identification of such measures would be an important element of the task that the General Assembly has placed before us.

33. The United States delegation cannot presume to answer that question for the Committee. We do, however, have a suggestion as to how we might proceed—a suggestion consistent with the desire of several delegations that we find ways to achieve a higher output and a broader scope for our work. Our suggestion is that the members of the Committee look at the problem of arms races as a whole and examine which elements are already being attacked and which are not. Most measures of disarmament and arms limitation that have been proposed in recent years deal principally with weapons of mass destruction. That is as it should be. These weapons must be brought under control. But should we not be concerned about other aspects of arms competition?

34. I should like to suggest that all members of the Committee consider what measures might be achieved relating to armaments that they already possess or might feel some pressure to acquire. How could such measures be negotiated? When might they be considered? Such suggestions would, of course, be particularly valuable coming from the countries directly concerned. We make that proposal in all seriousness, even though I know that some may be tempted to pass it off with a reference to “disarming the unarmed”. In fact we all have and acquire arms; and the responsibility for controlling them in a world in which conflict is likely to continue lies with the entire international community. Moreover, progress towards general and complete disarmament will be made not only by halting present arms races but also by preventing the initiation of new arms races. It is easier for nations to reach agreements now to prevent arms races than to attempt to control them once they are under way.

35. Some delegations have suggested that progress could be made if the United States and the Soviet Union were to revise their general and complete disarmament plans of the early 1960s¹⁵

¹⁵ *Ibid.*, 1965, pp. 77-102, 111-140.

in the light of developments since that time. But I wonder here whether we cannot learn from our earlier experience. What progress was made when we attempted that approach to disarmament? After twenty-one meetings in 1962 the Committee adopted, *ad referendum*, a draft preamble for the treaty on general and complete disarmament.¹⁶ That preamble had three sets of brackets indicating basic language on which agreement had not been reached. After forty-five meetings the United States and the Soviet Union submitted a paper covering three articles. The title of that paper was "Working Draft of Part I of the Treaty on General and Complete Disarmament (in a Peaceful World)".¹⁷ The three articles outlined in that co-Chairmen's draft contained some thirty sets of brackets indicating language preferred by one or the other Government but not acceptable to both. After twenty more meetings the United States and the Soviet Union were able to propose one more article, article 4, and that with nine sets of brackets.¹⁸ I would hope that members of the Committee who think that this approach is productive would review the verbatim records of the Eighteen-Nation Committee on Disarmament for that period. In fact, we began to make real progress towards general and complete disarmament when we began to examine what we could accomplish with respect to individual measures.

36. When we look to the future we can expect that further moves towards disarmament will be interrelated, as steps have been in the past. Every new measure introduces a new factor into international affairs. Some measures may serve as a catalyst for further progress; others will increase international co-operation. Both our experience in carrying out important disarmament measures and the general political situation will inevitably have an important bearing on the scope and nature of subsequent agreements.

37. Let us keep it in mind that arms-control measures, singly and in succession, have benefits beyond their immediate specific terms. They have an important effect on the atmosphere in which governments make their decisions concerning armaments and disarmament possibilities. During the 1950s most governments probably expected that the arms race would continue to spiral upwards. Today, however, many are no longer certain that this will happen. The measures that have been achieved, the forces of international co-operation they have set in motion and the further negotiations they have engendered have helped to create an expectation throughout the world that armaments may level off or even spiral downwards. Thus, although the problems with which we are dealing often seem intractable, we must continue to try to solve them in a realistic and purposeful way, keeping in mind that

¹⁶ *Ibid.*, 1962, vol. I, pp. 340-342.

¹⁷ *Ibid.*, pp. 574-577.

¹⁸ *Ibid.*, vol. II, pp. 727-728.

too slow a pace could result in a loss of momentum which could impair the relatively favourable atmosphere that our earlier measures helped to create.

38. I have set forth in some detail today the views of the United States delegation on how we believe progress can be made towards our common goal of general and complete disarmament. I hope that during this session other delegations which have thoughts to contribute will also express their views on general and complete disarmament in our plenary meetings. Our delegation believes that that is the best way to proceed in considering this complex subject, since it will give all of us an opportunity to exchange ideas and to study carefully the contributions of all members of the Committee.

News Conference Remarks by Secretary of State Rogers on Strategic Arms Limitation Talks [Extract], June 25, 1970¹

Q. Mr. Secretary, in view of Mr. Smith's recent visit here, can you say something about the progress of the SALT talks?

A. Yes, we had a meeting yesterday with Mr. Smith and the President, and with General Allison, and he (Mr. Smith) made a full report to the President about the talks. The talks have proceeded, I think, in a very businesslike way, and I think there is some reason for optimism.

The question, I think, now is one of timing--how long the talks will continue at Vienna; whether they will be recessed, and for how long, and so forth.

But I think on the whole the talks have progressed very well, and I think, as I say, there is reason to hope that we can reach an agreement. Whether the agreement will be, in the first instance, a comprehensive agreement or a limited agreement, I think we can't predict at the moment.

But, in any event, I think it is important to keep in mind that if an agreement is reached in the reasonably near future that would not mean that that would be the end of the road. Because we would contemplate, if an agreement can be reached and it is of a limited nature, that there will be prospects for a more comprehensive agreement and further talks.

Q. Mr. Secretary, when you say you might reach an agreement in the reasonably near future, do you have in mind by the end of the summer, by the end of this year? Can you give us any idea of how imminent such an agreement might be?

¹ Department of State Bulletin, July 13, 1970, pp. 31-32.

A. No. I don't think it is possible to predict it. I just mean that I think there is a prospect of an agreement, but I wouldn't want to give any particular time framework.

Statement by the Canadian Representative (Ignatieff) to the Conference of the Committee on Disarmament: Sea-Bed and Ocean Floor, June 25, 1970¹

2. May I take this opportunity to associate myself with the welcome already extended to those heads of delegations who have joined us for the first time at this session, and to welcome back old friends? I wish also to welcome back the representative of the Secretary-General, Mr. Epstein, and members of the United Nations Secretariat, who continue to provide for us such efficient services.

3. Proceeding from the discussions which took place during the first part of this session and the working papers which were then presented, and profiting from the review of arms-control issues during the recess, we are now required, I believe, to consider more specifically what can be achieved during the remainder of this year. In this first Canadian intervention I should like to review how my delegation regards that task.

4. With respect to the revised joint draft treaty on the sea-bed submitted by the co-Chairmen on 23 April,² the Canadian delegation is hopeful that early substantial progress can be achieved and that the treaty can be completed at this session. This draft could then be presented to the twenty-fifth session of the United Nations General Assembly in the expectation that the result of our negotiations during the major part of two sessions will lead to the conclusion of a sea-bed treaty by the end of 1970. That, I think, should be our immediate objective.

5. As I indicated in my statement in late April,³ our delegation believes that we may have just about reached the point at which maximum consensus has been achieved on the substance of the draft text, with the exception of the point I raised at that time regarding article III. This relates to the question of assurances about recourse to international procedures in helping States which have cause for concern regarding non-compliance with the treaty. I do not propose at this stage to elaborate further upon that statement, which remains the Canadian position, other than to emphasize, in view of certain comments which have been made, that the Canadian proposals for verification put forward in

¹ CCD/PV. 473, pp. 5-14.

² *Ibid.*, pp. 185-188.

³ CCD/PV. 468, pp. 5-7.

document A/C.1/992⁴ do not envisage the establishment of some new, elaborate and expensive international machinery; they merely seek to reiterate, within the context of the sea-bed treaty which we are considering, the right already available on a multilateral basis under the Charter to all Members of the United Nations to have recourse when necessary to the good offices of the United Nations, without prejudice of course to any good offices which may be available on a bilateral basis.

6. Turning now to the question of chemical and biological warfare, we welcome the progress made during the last session in clarifying some of the underlying issues. The Canadian Government policy regarding chemical and biological weapons presented in my statement of 24 March⁵ was not of course a substitute for or a detraction from the multilateral action which is needed to strengthen and to supplement the Geneva Protocol.⁶

7. Indeed, what my delegation has been seeking is to reinforce the Geneva Protocol of 1925 by moving from the prohibition of first use of chemical and biological weapons which results from the reservations to that Protocol to an effective ban on the development, production and stockpiling of such weapons. The Canadian Government policy statement was made as a contribution to the clarification and amplification of national positions on this important matter, with the hope of promoting a consensus which might prepare the way for the negotiation of a treaty or treaties to prohibit the development, production and stockpiling of chemical and biological weapons.

8. This Committee is under an obligation laid down by the twenty-fourth session of the United Nations General Assembly—in this instance resolution 2603 B⁷—to continue negotiations on chemical and biological warfare and to provide a report on all aspects of the problem to the next session of the General Assembly. During our spring session several important statements were made on this item and some interesting working papers were considered. In our view, these revealed with increasing clarity that the crux of the problem is the negotiation of agreed and adequate verification procedures to ensure compliance with any treaty or treaties. We suggest that the Committee, while continuing the exchange of views on all aspects of the abolition of chemical and biological weapons, should devote its primary attention during the next few weeks to possible approaches to and solutions of the problem of verification.

9. In this respect we would support the suggestion put forward by my Japanese colleague that a series of informal consultations

⁴ *Documents on Disarmament*, 1969, pp. 596-597.

⁵ *Ante*, pp. 109-114.

⁶ *Documents on Disarmament*, 1969, pp. 764-765.

⁷ *Ibid.*, pp. 717-719.

with experts in attendance as required might provide optimum opportunity for progress.⁸ For our part we are prepared to participate actively in any such meetings, and we would hope to be able in due course to contribute some suggestions as to how we believe the examination of this verification problem might be advanced.

10. Completion of the work on the sea-bed treaty and progress on the question of chemical and biological warfare at this session, important as they undoubtedly are if viewed against the risks and costs of the continuing nuclear arms race, cannot be regarded as adequate responses by themselves. That is so, in our view, as gauged against current public apprehensions, or against the various resolutions adopted by the United Nations General Assembly at its last session.

11. Resolution 2602 E (XXIV) gave the responsibility to this Conference to develop—

... a comprehensive programme ... which would provide the Conference with a guideline to chart the course of its further work and its negotiations, bearing in mind that the ultimate goal is general and complete disarmament.⁹

The Canadian delegation views this resolution as primarily intended as an incentive to achieve progress in a systematic way on arms control and disarmament during this decade. We hope that the Conference of the Committee on Disarmament will not become involved in attempting to draft an elaborate and exhaustive programme for the Disarmament Decade, but will agree on a flexible formula of objectives to be presented to the twenty-fifth session of the United Nations General Assembly with the Committee's endorsement. We therefore believe that we should strive towards a consensus on what might constitute a comprehensive programme of work for the Conference of the Committee on Disarmament.

12. We agree with those who say that these objectives should, as far as possible, be spelt out in relation to specific measures, be acceptable to governments as practical proposals, and be related to current international tensions. Is it not logical, though, to expect that the principal military Powers represented on this Committee should set the lead in making such suggestions, as it is their armaments above all which set the pace for the arms race as well as affecting the international climate?

13. We also agree with those who say that the time has passed for metaphysical discussions of ideal programmes, or merely the revision of matters dating back to the beginning of the previous decade. Only through the pursuit of concrete measures will this Committee attain the ultimate objective of general and complete disarmament. On the other hand, I realize that we wish to avoid an

⁸ CCD/PV. 456, pp. 28-29.

⁹ *Documents on Disarmament*, 1969, p. 714.

approach so empirical and pragmatic that the General Assembly of the United Nations will not be able to discern any cohesiveness, co-ordination or direction in our targets and objectives.

14. In this task we are not without foundations on which to build. The most noteworthy achievement of this Committee to date, the non-proliferation Treaty,¹⁰ has now come into force, and when it becomes fully effective it will, we hope, ensure that no additional countries join the "nuclear club"; and as progress towards general and complete disarmament depends primarily on effective measures to bring under control the proliferation of nuclear weapons, both vertical and horizontal, measures such as the comprehensive test ban—an item to which I will return later—and a cut-off in the production of fissile materials for weapon purposes must in our view be an essential part of any programme we might draw up.

15. Nor can we ignore criticism which, perhaps justifiably, questions the ultimate value of agreements which limit nuclear weapons and to which major nuclear Powers are not a party. Like the representative of Japan in his intervention on 18 June,¹¹ I agree with the Secretary-General of the United Nations, who in his statement of 22 May to the Institute of Man and Science pointed to the desirability of "finding ways and means of associating all nuclear Powers, including France and the People's Republic of China", with arms control and disarmament negotiations.¹²

16. But there is no doubt, surely, that the priority objective set for us both at the United Nations General Assembly and by our own Conference is to halt the nuclear arms race. The means of bringing the nuclear arms race under restraint rest of course on political as well as technological factors. In so far as the political factors are concerned, in seeking solutions we undoubtedly have to look to a large extent to the strategic arms limitation talks (SALT) and other bilateral contacts between the nuclear Powers. But it is for this Conference, besides playing its political role, to examine all the technological factors involved in facilitating agreements which might lead to a halt of the nuclear arms race.

17. It is against that background that I should now like to turn to an important subject on our agenda which has not been discussed in any depth recently but which the twenty-fourth session of the United Nations General Assembly considered to be a matter of urgency and about which it also requested the Conference of the Committee on Disarmament to submit a special report to the twenty-fifth session of the General Assembly. I refer, of course, to the comprehensive test ban.

18. In view of the need for a special report, under the terms of resolution 2604 B (XXIV) of the General Assembly,¹³ to the

¹⁰ *Ibid.*, 1968, pp. 461-465.

¹¹ *Ante*, p. 241.

¹² United Nations press release SG/SM/1261, May 22, 1970.

¹³ *Documents on Disarmament*, 1969, p. 722.

forthcoming session of the General Assembly next September, I should like to recall briefly some of the history and the political events which give this issue its special significance and importance.

19. Parties to the partial test-ban Treaty of 1963 are under obligation by the preamble to the Treaty to seek "the discontinuance of all test explosions of nuclear weapons for all time".¹⁴

20. Parties to the non-proliferation Treaty have a more general commitment to "pursue negotiations . . . on effective measures relating to the cessation of the nuclear arms race at an early date", an obligation which applies particularly to the major nuclear Powers. The draft sea-bed treaty we are now considering also envisages a commitment to continue negotiations leading to the cessation of the arms race and to disarmament, general and complete.¹⁵ The conclusion of a comprehensive test-ban treaty by the Committee on Disarmament would therefore be a notable achievement, both to mark the Disarmament Decade and to reassure all nations that the commitments to which I have referred are considered as binding.

21. In the meantime nuclear testing, either for peaceful or for weapons purposes, is being continued by all the nuclear Powers; although we realize that those which are signatories of the partial test-ban Treaty have limited their tests to underground explosions. Why, then, the delay in completing the partial test-ban Treaty? Virtually all delegations here have recognized that the major political impediment to progress is related directly to the security considerations of the nuclear-weapon States. Clearly, until the nuclear Powers concerned are prepared to agree that the risk involved in any particular approach to a nuclear test ban is less than the risk inherent in the continued escalation of the nuclear arms race, progress can be of only a limited and preparatory nature.

22. We realize, of course, that the talks on the limitation and eventual reduction of strategic nuclear weapons have an important bearing on a comprehensive test ban. Success in the strategic arms limitation talks, we would hope, could go a considerable distance towards removing the basic impediment, to which I have referred, to a comprehensive ban on further testing.

23. Pending progress in the political and security environment in relation to which the goal of a comprehensive test ban has to be considered, however, the Canadian delegation remains convinced that some progress in finding solutions to some of the major outstanding technical problems should be pursued. These technical problems relate, of course, to the question of effective verification, on which the positions of the major nuclear Powers involved and of many other members of the Committee on Disarmament

¹⁴ *Ibid.*, 1963, pp. 291-293.

¹⁵ See *ante*, p. 185-188.

have differed, and still differ, substantially. All delegations here would, I think, agree that the seismic component of any verification system will be large, albeit not necessarily the only component. The Canadian delegation, among others, has argued that the task of detection and identification of underground tests could be facilitated if assured access to adequate original seismological data were to be provided.

24. That brings us to General Assembly resolutions 2604 A (XXIV) and 2604 B (XXIV). The latter requests us, *inter alia*, "to submit a special report to the Assembly" on the results of our deliberations on a comprehensive test ban and on proposals relating to it. While we do not know what will be the exact form or content of that special report, we are firmly of the opinion, which we hope is widely shared by others here today, that the report should show that this Committee had at least taken into account the responses to the Secretary-General's questionnaire on the international exchange of seismic data referred to in resolution 2604 A (XXIV).¹⁶ In that context we would also recall that a specific purpose of resolution 2604 A (XXIV) is, as stated in its operative paragraph 3, precisely to assist the Committee on Disarmament in its further consideration of the achievement of a comprehensive test ban.

25. In view of those decisions of the General Assembly I am sure that we shall all do our utmost to ensure that our discussions on the comprehensive test-ban question in this Committee this summer are as fruitful as possible. As regards the enquiry concerning the international availability of seismic data, I hope my colleagues may find it helpful if this morning I give the Committee a brief report on the progress made to date in response to General Assembly resolution 2604 A (XXIV), and on the basis of that report make one or two tentative suggestions for possible future action by this Committee.

26. As members of the Committee are aware, resolution 2604 A (XXIV) received widespread support at the twenty-fourth session of the General Assembly both in terms of votes in favour and in terms of co-sponsorship. At the same time it has to be recognized, as my Japanese colleague pointed out the other day,¹⁷ that support in the General Assembly was not as universal as we would have wished, and that some responses to the Secretary-General's enquiry were cast in somewhat negative terms. None the less, of the fifty-four responses so far received and circulated, thirty-four, from five continents, have been positive and substantive. I have been informed in fact by the Canadian technical authorities that those responses to the resolution and questionnaire form a sufficiently broad-based sample to permit some useful

¹⁶ *Documents on Disarmament*, 1969, pp. 719-722.

¹⁷ *Ante*, p. 239.

initial examination to be made, with what we hope may be productive results.

27. I wish to make it quite clear to my colleagues that the difficulties and delays which have been encountered have not in any way altered our view that the Committee on Disarmament itself should at this session pursue a preliminary examination of the substantial number of responses available for study so that a reference to them may be included in this Committee's report to the United Nations in response to operative paragraph 3 of General Assembly resolution 2604 B (XXIV). Technologically-improved international co-operation in the seismic field may prove highly desirable in providing the basis for a limited but substantial step forward in bridging the technical gaps in the adequate verification of a comprehensive test ban.

28. As we now consider what might be done to follow up the Secretary-General's questionnaire, I should like to stress that we in the Canadian delegation have no preconceived views or ideas on what conclusions may be drawn from the responses made so far by governments. At this stage we wish only to open what we hope may prove to be a useful dialogue in this Committee. Certainly we believe it is premature to take a position on the question of the establishment of any international body, with all the financial implications that might flow from such an action. For instance, we do not think it is by any means clear that an eventual seismic exchange system would involve a system of automatic and continuous circulation of data, as distinct from *ad hoc* arrangements, acceptable to governments.

29. We are justified in wondering, however, just how the adequacy of national verification procedures can be assessed by governments unless an undertaking is forthcoming concerning the willingness of governments, on a reciprocal and purely voluntary basis, to make seismic data available, and also without a further study of the seismological facilities which may be available in the world. We will, of course, consult other members of the Conference of the Committee on Disarmament—particularly those countries that have capabilities in this field and have responded favourably—about the best approach to a follow-up of the seismic information exchange questionnaire.

30. For our part, the chief Canadian Government seismologist, Dr. Kenneth Whitham, has undertaken to provide an initial examination of the available responses; and he hopes to put this into the form of a working paper for circulation to all delegations here around the beginning of August. Then, if the Committee were agreeable, that paper might be the starting-point for an informal meeting on 12 August at which Dr. Whitham would be present as well as, we hope, experts from other delegations. Also, if the idea of an informal meeting some time in mid-August meets with general approval, we think that besides Dr. Whitham's paper—and together, of course, with any working papers that other delega-

tions may wish to contribute—it might be profitable to discuss certain specific and related questions. In this connexion I have taken the liberty of following the example of Mrs. Myrdal, representative of Sweden—who I hope will shortly join us—when, in the course of the informal meeting on chemical and biological weapons, she put forward a series of questions to facilitate discussion at such informal meetings.

31. Some tentative suggestions which arise in my mind as to the kind of questions which might usefully be examined in preparation for an informal meeting on international seismic co-operation include the following:

32. First, to what extent do the replies to the questionnaire supplement or modify existing scientific information concerning facilities for detecting and identifying underground nuclear-weapon tests?

33. Second, is it possible to estimate from the information provided about national seismic facilities the extent to which the identification capabilities for underground nuclear explosions may be improved through guaranteed international access to additional seismological data?

34. Third, have the results of the questionnaire identified any sectors of the globe or geographic areas for which the levels of nuclear explosion identification are perceptibly higher or lower than average? Would these areas be of vital significance in the enforcement of any comprehensive test ban?

35. Fourth, could the response of governments to the Secretary-General's questionnaire help such governments to identify methods for improving the effectiveness of their own seismic detection techniques, or would any further information be required for this purpose?

36. Fifth, is further examination warranted into the concept of international exchange of seismic data, as well as into the quantity and quality of data that may be made available from national means of identification?

37. Sixth, do the results of this survey warrant further consultation in the near future among nations ready to contribute to an examination of facilities for identification of nuclear explosions by seismological means, and to an examination of the most effective attainable measures to supplement the partial test ban of 1963?

38. Seventh, is it possible yet to establish the degree to which national verification procedures may be adequate, with or without an international exchange of seismic data, and the degree to which a prohibition of underground nuclear tests could be effective on either basis?

39. In view of the comparatively short time which I understand is to be available to us for our discussions at this summer session, I thought it would be useful to go into some detail, even at this stage, so that all delegations might have an equal opportunity to

study these suggestions when considering how this Committee should respond in its report this year to the resolutions of the last session of the General Assembly of the United Nations, more particularly to resolution 2604 B.

40. In conclusion, as we are all only too well aware, this Committee has to be prepared to meet its critics at the next session of the General Assembly, which coincides with the twenty-fifth anniversary of the United Nations. If we are to rise to that occasion, we must at least be seen to be tackling the problem of human survival in the nuclear age with the wisdom, patience, perseverance and objectivity which is expected of us.

Statement by the Swedish Representative (Edelstam) to the Conference of the Committee on Disarmament: Sea-Bed and Ocean Floor, June 25, 1970¹

41. My intervention today will be devoted to the draft sea-bed treaty.² At the outset, I wish to join those colleagues who have expressed their satisfaction at the fact that the co-Chairmen were able to present jointly to the Committee on 23 April a revised draft of the treaty on—to use the full title—the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and in the subsoil thereof.

42. We have duly observed the important changes which have been made in the text as compared with that presented by the two delegations on 30 October of last year.³ We find it particularly important to note the incorporation, almost word for word, of the changes and amendments to articles I and II put forward by the Argentine delegation during the deliberations last autumn in the First Committee of the United Nations General Assembly,⁴ as well as of substantial parts of the text suggested by Canada as regards article III.⁵ The Swedish delegation has all along strongly supported the efforts of the Canadian delegation to work out language for the verification provisions which could enhance the possibilities of making the treaty more generally acceptable.

43. Before going any further in my analysis of the new text, I should like to dwell for a moment on the general framework in which this draft treaty should, in our opinion, be judged. It would seem to us that there are two basic considerations: first, that of disarmament, and secondly that of ensuring the sea-bed as the common heritage of mankind. The latter aspect is admittedly

¹ CCD/PV. 473, pp. 14-18.

² *Ante*, pp. 185-188.

³ *Documents on Disarmament*, 1969, pp. 507-509.

⁴ *Ibid.*, p. 704.

⁵ *Ibid.*, pp. 596-597.

being dealt with in another forum; but we cannot and should not isolate our considerations from the debate which has been taking place on this subject in the special sea-bed Committee of the United Nations.

44. Dealing first with the disarmament aspect, we register with satisfaction that the successful completion of this treaty will lead to the creation of an immense area of the world where nuclear arms and other weapons of mass destruction will be prohibited. We have to keep in mind, however, that the prohibition refers only to the bed of the sea and the floor of the oceans and not to the militarily much more important areas of waters above the bottom of the sea. The effect of this treaty will therefore, from the arms-control point of view, be a limited one.

45. Furthermore, the agreement in effect leads only to denuclearization of the sea-bed, not to the demilitarization which has all along been the goal of the vast majority of States. That is the main reason why many delegations have come to attach such importance to the insertion in the present treaty of a pledge obliging the parties to continue negotiations towards reaching further prohibitions on the sea-bed. There is admittedly a reference in the preamble to continued negotiations leading to the exclusion of the sea-bed and the ocean floor from the arms race. There is, further, the provision in article VI that a conference will be held five years after the entry into force of the treaty to review its operation "with a view to assuring that the purposes of the preamble and the provisions of the Treaty are being realized."

46. As is well known, the Swedish delegation suggested last autumn, both in this Committee and in the United Nations, a somewhat more far-reaching formula by way of a new article in which the parties would pledge themselves—

... to continue negotiations in good faith on further measures relating to a more comprehensive prohibition of the use for military purposes of the sea-bed and the ocean floor and the subsoil thereof.⁶

The wording was based largely on the similar provision regarding further negotiations to curb the nuclear arms race which was inserted in the text of the non-proliferation Treaty during the negotiations on that subject on the insistence of the non-nuclear-weapon States.⁷

47. We regret that for the second time the Soviet Union and the United States delegations, when reviewing their draft treaty text, have not seen fit to accept that formula. We urge them once again to study this matter further. I think that such a more far-reaching pledge regarding further negotiations would considerably increase the value of the treaty in the opinion of many States. One of the reasons for this is of course the fate which a similar preambular pledge in an earlier arms-control measure has

⁶ *Ibid.*, p. 486.

⁷ *Ibid.*, 1968, pp. 46.

had. I am referring to the paragraph in the preamble to the partial test-ban Treaty in which the parties expressed their determination "to achieve the discontinuance of all test explosions of nuclear weapons for all time, determined to continue negotiations to this end . . ."⁸

48. The Polish delegation—your delegation, Mr. Chairman—in its intervention on 18 June made the suggestion that this Committee should—

. . . keep on its agenda the question of the demilitarization of the sea-bed and the ocean floor as formulated in the 1968 report to the General Assembly, when a programme of work⁹ for this Committee was established after the signing of the non-proliferation Treaty. In that way members of the Committee may raise the question of further steps leading to the demilitarization of this important area whenever they see that a question is ripe for discussion, without waiting for the review conference as provided for in article VI of the draft before us. In this particular case we believe that what are generally called 'conventional' armaments can be dealt with in a separate document.¹⁰

I have quoted from your statement, Mr. Chairman, at some length because I want to express the support of my delegation for your suggestions. They should be regarded, however, not as a substitute for a further strengthening of the pledges in the treaty text regarding further negotiations, but as additions.

49. Turning now to the other main principle, that of securing the sea-bed as the common heritage of mankind: we know, as I have said earlier, that this is an issue being dealt with elsewhere. Efforts are being made to reach agreement on the establishment of an international regime for the sea-bed, leading eventually to some form of international administrative machinery to ensure that the further exploration and exploitation of the natural resources of the sea-bed and the ocean floor will be carried out in a way which furthers the interests of all States and rests on the principle I have just mentioned.

50. From the outset of the negotiations in our Committee on the subject of the sea-bed treaty a link has been suggested between such possible future international machinery and the verification provisions of the treaty. Already in the spring of last year the non-aligned members of what was then the Eighteen-Nation Committee on Disarmament proposed that, when it became feasible, verification could be carried out not only by the individual parties but also through an appropriate international agency or arrangement. In the suggestions as to verification provisions which were put forward last year by the Canadian delegation and which were supported by a vast number of other delegations, the possibility was mentioned of verification being carried out with the full or partial assistance of any State party, this assistance being sought either directly or indirectly "through appropriate international procedures including the good offices of

⁸ *Ibid.*, 1963, pp. 291-293.

⁹ *Ibid.*, 1968, pp. 583-584.

¹⁰ CCD/PV. 471, p. 7.

the Secretary-General of the United Nations.”¹¹ As my delegation interpreted that provision it was a way of saying, although admittedly very indirectly, that if and when international machinery for the sea-bed was set up it might be possible for States desirous of so doing to make use of that machinery for their verification needs in relation to the treaty we are now discussing.

51. In the draft text before us, which in other respects closely reflects the content of the Canadian proposals, these references to international good offices, including those of the Secretary-General, have been omitted. In view of the importance attached to the above-mentioned principle that the sea-bed represents a common heritage of mankind, and the link between that principle and the notion of an international regime for the sea-bed, we must regard the failure to make any mention at all in the new text of the possibility of international control as a serious weakness. I think there is ground for saying that many other States which have taken an active part in the discussions on preserving the sea-bed exclusively for peaceful purposes, and on obtaining general recognition of the common interests of mankind in that area, will share this opinion. I would appeal to the co-Chairmen to review this matter once again in order to see if some reference cannot be incorporated in the treaty text reflecting the idea of international verification as a possible future development.

52. I wish to cover one further point. The new wording of article I, in its second paragraph, extends the prohibitory rules of the treaty to apply also within the sea-bed zone, but exempts the coastal State as well as the sea-bed beneath its territorial waters from that extension. In this way an ambiguity existing in earlier texts has been eliminated, an ambiguity in regard to cases where the territorial sea of the coastal State is less than twelve nautical miles.

53. An unclear situation remains, however, on one point. This refers to verification. We consider that a corresponding provision as to verification of the extended prohibition within the sea-bed zone is needed in order to avoid any conflict regarding the responsibility for fulfilment of the treaty obligations within the “gap” between territorial waters and the twelve-mile limit. The exemption of the coastal State from the prohibitions in article I should thus be matched by an exclusive right for the coastal State in relation to verification within that zone, irrespective of whether its territorial sea extends to twelve nautical miles or is less. The whole verification procedure consists of successive measures founded on the right of observation, laid down in the first paragraph. This right of observation applies, according to the paragraph, to activities beyond the sea-bed zone. Certainly observation is, however, also admitted under international law

¹¹ *Documents on Disarmament*, 1969, pp. 596-597.

within the zone; but the verification procedure as to further measures within the zone is not regulated in the treaty. Such a deliberate "gap" in the provisions is, in our view, not desirable and could lead to unnecessary conflicts in a critical situation.

54. Clarification would be obtained if an additional paragraph were inserted in article III, preferably immediately after the present first paragraph, saying that the right arising under the first paragraph shall, with regard to activities of other parties within the sea-bed zone, accrue exclusively to the coastal State. Such a provision could, in our opinion, not be judged as an infringement of the principle of the freedoms of the high seas expressly referred to in the first paragraph of the same article. It could, on the other hand, have an impact on the security considerations of some coastal States.

55. None of the three main points I have dealt with in this intervention is new. They do not touch the basic concepts of the treaty and cannot in any way impair them. Their inclusion in a new and final draft would, on the contrary, I am sure, increase the possibilities of a speedy acceptance of the treaty by a vast majority of United Nations Members. I therefore express my sincere hope that other delegations, and particularly those of the Soviet Union and the United States, will study them closely in order to see if some suitable language may be found to enable them to be included. The Swedish delegation stands ready to participate actively in any such efforts.

Italian Paper Submitted to the Conference of the Committee on Disarmament: Suggestions on Possible Group of Experts To Study Control of Chemical Weapons, June 30, 1970¹

1. In the course of the informal meeting of the CCD on 22 April 1970, devoted to the question of the prohibition of chemical and biological weapons, discussions were mainly concentrated on the problem of control over the production and stockpiling of chemical weapons. It thus appeared to be confirmed, in the opinion of various delegations, that the establishment of an effective system of controls is still the major problem among those that the Committee will have to solve with a view to achieving an agreement for the prohibition of chemical weapons.

Moreover, the participation in that same meeting of experts from various countries gave emphasis to the fact that the problem of controls presents some aspects that are predominantly scientific and a knowledge of which is essential before the various delegations can profitably embark on discussion of a draft treaty.

¹ CCD/289, June 30, 1970.

2. For the purposes of such a discussion, the committee has at its disposal, at the moment, three highly valuable scientific studies: the "Report of the Secretary-General on chemical and bacteriologic... (biological) weapons and the effects of their possible use"²; the report by the World Health Organization entitled "Health aspects of Chemical and Biological Weapons"; and the as yet unfinished report by the Stockholm International Peace Research Institute (SIPRI) "The problem of chemical and biological warfare".

Of these three documents, the first aims at giving a scientific evaluation of the effects of chemical and biological weapons and informing the Governments of the consequences of any use that might be made of them, while the second is intended specially for the public-health authorities and leaves aside the purely military aspects of the problem. Neither of these two studies goes specifically or in any depth into the question of controls.

The SIPRI report, on the other hand, tackles all the different aspects of the problem including that of verification, to which the whole of Volume IV is devoted.

This part of the report, although of exceptional interest and usefulness, is nevertheless of an incomplete and preliminary nature. Moreover, it was conceived with a more general purpose in view, not with the specific aim of being able to provide the Committee on Disarmament with an exhaustive technical study as a working tool.

3. The Italian Delegation accordingly believes that the above mentioned studies could be usefully supplemented by a specific study on the problem of controls of chemical weapons, which could constitute a background document for the work of the Conference. Such a study could be drawn up, as has been suggested by various Delegations, and in particular by the Japanese Delegation,³ by an *ad hoc* group of experts. The group could include, among others, some of the experts who have already collaborated in producing the SIPRI report and the Report of the Secretary-General of the United Nations.

4. To enable the group of experts to produce, within a relatively short time, a document of use for the purposes indicated above, the Committee, in the Italian Delegation's view, should itself guide the group in its labours, deciding beforehand the lines on which it should work and the specific subjects with which it should deal.

5. On the basis of these considerations the Italian Delegation has thought fit to put forward the following suggestions:

(a) The C.C.D. should set up a group of experts whose task would be to study the technical questions connected with the problem of the control of chemical weapons and to draw up a

² Documents on Disarmament, 1969, pp. 264-298.

³ Ibid., pp. 408-412; CCD/PV. 456, pp. 26-29.

report thereon which would serve as a background document for the Committee in its work.

(b) The C.C.D. should itself, as a preliminary step, single out the basic subjects which need to be clarified having recourse to expert opinion (for example, it could ask for a study of the possibility of control over the production of chemical agents used solely for warlike purposes, or again it could ask for the study to be extended to substances which can be used for both peaceful and warlike purposes, etc.).

(c) Once the general picture of the subjects to be investigated has been outlined, each Delegation should instruct the appropriate body in its own country to suggest a list of specific technical themes to be developed and studied in more detail (e.g., supposing that the C.C.D. has stated that it thought a technical opinion necessary in regard to the problem of control solely over chemical agents of warfare, the appropriate national bodies in a particular country might propose an investigation of the possibility of instituting controls over the raw materials and intermediates needed for the production of nerve gases and vesicants. In particular, with reference to nerve gases such bodies might propose that the possibility be examined of controlling international trade in phosphorus and the industrial production of organic-phosphorus esters [parathion].)

(d) Each proposal would be transmitted to the group of experts set up by the Committee. The group would have a first meeting to compare and examine the various proposals and then to combine them into a single document to serve as a programme of work.

(e) On the basis of this programme, the group of experts would meet with a view to drawing up a final report. This document should deal in detail with all the problems relating to controls of chemical weapons which are of interest to the Committee, and would constitute the technical background document for further discussions in the C.C.D.

United States Working Paper Submitted to the Conference of the Committee on Disarmament: Toxin Amendment to British Draft Convention on Prohibition of Biological Methods of Warfare, June 30, 1970¹

The United States proposes that toxins be added to the agents whose use is prohibited by Article I of the UK draft Convention.² The U.S. also proposes that the phrase "by infection or infestation" be deleted. Article I would then read as follows:

¹ CCD/290, June 30, 1970.

² *Documents on Disarmament*, 1969, pp. 431 ff.

Article I

Each of the Parties to the Convention undertakes, insofar as it may not already be committed in that respect under Treaties or other instruments in force prohibiting the use of chemical and biological methods of warfare, never, in any circumstances, by making use for hostile purposes of microbial or other biological agents or toxins causing death, damage or disease to man, other animals, or crops, to engage in biological methods of warfare.

With reference to Article II(a)(i), the United States proposes that the words "or toxins" be inserted after the phrase "microbial or other biological agents" so that the prohibitions and requirements contained in that Article apply to toxins as well.

The first part of Article II, amended, would then read as follows:

Article II

Each of the Parties to the Convention undertakes:

(a) not to produce or otherwise acquire, or assist in or permit the production or acquisition of:

(i) microbial or other biological agents or toxins of types and in quantities that have no independent justification for prophylactic or other peaceful purposes; . . .

**Statement by the Italian Representative (Caracciolo) to the
Conference of the Committee on Disarmament: Chemical and
Biological Weapons, June 30, 1970¹**

2. As this is the first time that my delegation has spoken since the session was resumed, I should like to associate myself with previous speakers in extending a welcome to the new heads of delegations and also to those who have come back to us after a long absence.

3. The sole purpose of my brief statement is to introduce document CCD/289, which the Secretariat has just distributed at our request and which is intended to be a specific contribution by the Italian delegation to the negotiations on the problem of chemical weapons.² Perhaps you will allow me also to make a few comments and some more general observations on the question as a whole.

4. During the work of the Conference in 1969 and in 1970 a number of delegations advocated the idea of convening an international group of experts to study the problem of chemical and biological weapons and, more especially, that of the control of chemical weapons. I should like in particular to recall the statements made by the delegation of Japan on 14 August 1969³ and on 10 March 1970.⁴

¹ CCD/PV. 474, pp. 5-7.

² *Ante*, pp. 270-272.

³ *Documents on Disarmament, 1969*, pp. 408-412.

⁴ CCD/PV. 456, pp. 26-29.

5. The informal meeting held at the request of the Swedish delegation on 22 April, in which experts from various countries took part, confirmed the importance of the problem of the controls to be provided in negotiations on chemical weapons. What took place at that meeting showed, moreover, that in order to make a useful contribution to the achievement of the specific objectives of the Conference of the Committee on Disarmament, the activities of a group of experts should be guided by this Committee itself. That is the gist of the working paper which has just been distributed and is essentially designed to suggest how the Conference of the Committee on Disarmament could give the experts the directives they would need to enable them to draw up a truly useful document and offer the Conference a technical instrument useful for its study of the possibilities of control of chemical weapons.

6. In submitting this document the Italian delegation feels, in keeping with the views expressed by a large number of other delegations, that the problem of chemical weapons has certain special aspects which are very difficult to deal with—in particular the choice of control measures—and that this problem of controls should be considered in a systematic and detailed manner. In that context we believe that our initiative may help to spell out all the aspects of the problem from the procedural point of view.

7. Moreover, in our opinion we cannot renounce the idea of making some progress, however limited, while we await the conclusion of a global agreement on prohibition of the possession and production of chemical and biological weapons. Thus we are convinced that in the meantime we must devote our attention to solving the relatively more simple problem of prohibition of the possession and production of biological weapons, while at the same time actively continuing our efforts to find a solution encompassing both types of weapons.

8. With reference to the two draft conventions presented by the United Kingdom Government⁵ and by the governments of the nine socialist countries,⁶ concerning respectively the prohibition of biological methods of warfare and that of the development, production and stockpiling of chemical and bacteriological (biological) weapons, Italy has already had occasion to express its views at the twenty-fourth session of the General Assembly and here in Geneva on 26 February.⁷ We are bound to say that the discussion in the Conference of the Committee on Disarmament appears to have confirmed the soundness of the views we then expressed.

9. The representatives of the United Kingdom, Canada and the

⁵ *Documents on Disarmament*, 1969, pp. 431 ff.

⁶ *Ibid.*, pp. 455-457.

⁷ CCD/PV. 453, p. 12.

United States have, furthermore, already provided the Conference with a mass of evidence demonstrating the differences between the methods of chemical warfare and those of biological warfare in their nature, method of use and deterrent force and in the effectiveness of retaliatory measures. We therefore believe it would be difficult to undertake to renounce the development, production and stockpiling of chemical weapons unless that undertaking were included in a convention also providing for effective control measures. On the other hand it seems to us just as clear that, in view of the characteristic differences of biological weapons, such an undertaking could be accepted for these even if the control procedures were limited to the system provided in the United Kingdom draft.

10. I should like, therefore, to reiterate the support of my Government for the draft convention on the prohibition of the production and stockpiling of biological weapons submitted on 26 August 1969 by the United Kingdom delegation. In our view that draft, which is in itself an important measure of armament limitation, could also be a useful stimulus to the subsequent negotiation of other agreements on chemical weapons.

11. I should also like to take this opportunity to express the adherence of my Government to the proposal put forward by the United States delegation on 28 April to include in the United Kingdom draft the prohibition of toxins.⁸ We believe that such an amendment would considerably widen the scope of the United Kingdom draft.

12. The date of 17 June marked the forty-fifth anniversary of the Geneva Protocol.⁹ That Protocol is, in our view, an international instrument of primary importance which, as the Secretary-General of the United Nations has so rightly pointed out, has stood the test of time and proved to be a document of historical significance.

13. Allow me, therefore, in concluding this brief statement to recall here the position taken by my delegation in its statement on 26 February on the prohibition of the use of chemical and biological weapons. We still believe that we could make the Protocol more effective and achieve definite progress by enlarging its geographic scope, thus giving it a universal character. And, as we see it, the best means of doing that might perhaps be to withdraw the reservations expressed on ratification in order to safeguard the right to use weapons covered by the prohibitions of the Protocol against non-signatory States. It is, of course, understood that the withdrawal of those reservations—which do not affect the text of the Protocol—would in no way derogate from the right of retaliation against countries, signatory or

⁸ For the original U.S. statement, see *ante*, p. 189. The amendment appears *supra*.

⁹ *Documents on Disarmament, 1969*, pp. 764-765.

non-signatory, which resorted first to the use of the weapons prohibited by the Protocol.

14. Moreover, we feel that the reservations whose withdrawal we are proposing no longer correspond to the present positions of some States. Confirmation of that impression can be found in the statement made by President Nixon on 25 November 1969, when he said that the United States renounced first use of lethal and incapacitating chemical weapons.¹⁰

15. We are well aware that withdrawal of reservations to an international instrument may raise legal and constitutional problems. These problems must therefore be studied very thoroughly; and the Italian delegation, for its part, will not fail to devote its whole attention to them and may revert to them later.

Statement by the United States Representative (Leonard) to the Conference of the Committee on Disarmament: Toxin Amendment to British Draft Convention on Biological Weapons, June 30, 1970¹

16. As my colleagues are aware, the United States believes that the international community can and should conclude without delay a convention eliminating disease as a weapon of war. As we made clear at the end of our last session, we are prepared to see such a convention cover not only biological agents but also the lethal chemical substances known as toxins.² An opportunity thus exists to take a major stride forward in arms-control negotiations. To do all that we can in this effort, I wish to put forward today precise language for amending the United Kingdom draft convention³ so that it would prohibit the use, production and stockpiling of toxins as well as biological agents.

17. The United States delegation has already described the potentially devastating effects of the use of toxins in warfare and the essential similarity between facilities required for the production of military toxins and biological warfare agents. We have also expressed the view that, although toxins are chemical substances, their characteristics from the viewpoint of arms control are so closely related to those of biological agents that the treatment of these two categories in the same convention would be not only feasible but highly desirable.

18. Accordingly we propose that article I of the United Kingdom draft convention for the prohibition of biological methods of warfare be amended to read as follows:

¹⁰ *Ibid.*, pp. 592-593.

¹ CCD/PV. 474, pp. 8-9.

² *Ante*, p. 189.

³ *Documents on Disarmament, 1969*, pp. 431 ff.

Article I

Each of the Parties to the Convention undertakes, insofar as it may not already be committed in that respect under Treaties or other instruments in force prohibiting the use of chemical and biological methods of warfare, never, in any circumstances, by making use for hostile purposes of microbial or other biological agents *or toxins* causing death, damage or disease to man, other animals, or crops, to engage in biological methods of warfare.

19. We also propose that a similar change be made in article II (a)(i) by inserting the words "or toxins" after the phrase "microbial or other biological agents", so that toxins will be expressly included in the convention's prohibitions and requirements concerning production, acquisition, research and destruction.⁴

20. It should be noted that in our proposed amendment of article I we have deleted the phrase "by infection or infestation". That is because we believe that the emphasis of the prohibition should be on the agents themselves rather than on the manner in which a disease is introduced.

21. We have circulated a working paper which formally proposes these amendments.⁵

22. By including these extremely deadly agents, toxins, in the draft convention proposed by the United Kingdom, we will be greatly enhancing the scope, and thus the importance, of this arms-control measure. I trust that all those delegations that are determined, as we are, to strengthen arms-control restraints in the fields of chemical and biological weapons will appreciate the significance of these amendments. Let us not fail to seize the opportunity before us to negotiate a valuable and practical arms-control measure.

**Statement by the Italian Representative (Caracciolo) to the
Conference of the Committee on Disarmament: Comprehensive
Program of Disarmament, July 2, 1970¹**

2. The problem of a comprehensive programme for general and complete disarmament has been a matter of constant concern for the Italian delegation. We have always been prompted by the preoccupation that all the engagements to be undertaken in order to achieve our common goal should be shared, if not equally, at least in accordance with some agreed criteria, among the different States concerned. Though a perfect balance is hard to strike in this matter, as in any international negotiation, it seems to us that it is easier to achieve a fair division of burdens by including them in a

⁴ *Ante*, pp. 272-273.

⁵ *Ibid.*

¹ CCD/PV. 475, pp. 5-10.

comprehensive frame or programme than by taking up various measures separately, guided only by circumstances.

3. Of course we recognize the validity of the thesis that all disarmament measures must be viewed in the political context of the moment; but we believe that that assumption does not exclude the possibility, not to say the necessity, of a programme flexible enough to allow for updating whenever necessary, in order to examine all the implications of the different measures of disarmament and, consequently, to help maintain a fair balance among them. The existence of such a programme would also—in our opinion—allow for a better understanding of the interrelation between and the implications of the various measures of disarmament and might help to overcome some of the obstacles that would arise in their application; therefore it could have an accelerating and a positive effect on the entire process of disarmament.

4. In line with those central ideas the Italian delegation has, since last year, been setting forth some thoughts on the matter in the hope of stimulating a wider discussion in this Conference. I refer particularly to our working paper dated 21 April 1969 in which we submitted some suggestions for the adoption of an organic disarmament programme.² Subsequently, in the course of the informal meeting convened on 20 August 1969, we submitted a statement in which we tried to explain more clearly the kind of programme of disarmament we had in mind.³

5. Our action in favour of a study for a comprehensive programme continued through the debates in the First Committee at the twenty-fourth session of the General Assembly and found its logical expression in the presentation of a draft resolution (A/C.1/L.499) by the Italian, Japanese and Irish delegations. That draft resolution, which was approved by the General Assembly by 105 votes to none, with thirteen abstentions, now stands before us as resolution 2602 E (XXIV).⁴

6. Again, at our winter session this year, in a statement made on 26 February, the Italian delegation expressed the view that the establishment of a comprehensive programme is something more than the preparation of a mere priority list of measures to be considered.⁵ In that statement we pointed out that, according to the wording of the General Assembly resolution, that programme should cover all the aspects of the problem, including those which had been referred to by the representative of Sweden in her statement of 18 February⁶ and by the representative of the

² *Documents on Disarmament*, 1969, pp. 189-191.

³ *Ibid.*, pp. 426-430.

⁴ *Ibid.*, pp. 713-715.

⁵ CCD/PV. 453, pp. 6 ff.

⁶ CCD/PV. 450, pp. 11-18.

Netherlands in his working paper.⁷ We added, on that occasion, that the long and difficult operation we were confronted with required a pragmatic approach and, at the same time, imaginative efforts; that this work should take as a starting point a number of simple criteria on the basis of which it should be fairly easy to evolve a common opinion that would increasingly develop, finally becoming the object of negotiations and firm commitments by all countries.

7. We thought then that our first step should be to find the methods of work most appropriate for achieving this objective. Therefore, the practical suggestion put forward in our statement of 26 February was that a working group open to all delegations should be established and should meet regularly without affecting the negotiations in the full Committee on specific and collateral measures. Only as an alternative suggestion, we referred to other unofficial means that could make it possible for exchanges of views between delegations to proceed without interruption.

8. We also tried to make clear in that statement that this extensive period of consultations between delegations concerned, either in an official or in an unofficial working group, should be limited to the first phase of our session, while in a second phase—which corresponds to the present session of our Conference—the Committee could begin to consider this important problem at its official meetings.

9. Following our statement of 26 February we waited the entire month of March for other initiatives on this important subject to be taken or for a response to be made to our suggestions. It was only at the beginning of April that contacts were established spontaneously among a certain number of delegations that meanwhile had expressed, in their official statements or in private conversations, views similar to our own as to the best way to get some action started.

10. I should therefore like to make it perfectly clear to the whole Committee that at no moment was there any desire whatever to preclude any delegation from participating in our exchange of views, and that the setting up of the group that met regularly during the entire month of April was the result of a spontaneous gesture and was not based on any political or geographical criteria. It was a desire for efficiency that prompted us to confine our initial effort to the limited number of representatives who had expressed views similar to our own; and more than once in our meetings we expressed the common desire to enlarge our consultations progressively without prejudicing the efficacy of our exercise.

11. Let me add that our efforts to find some kind of common language on such a wide problem were by no means secret; that every other delegation here, through various channels, was well

⁷ *Ante*, pp. 59-63.

aware of the nature and general direction of our efforts; and also that at no time during that period did we hear any criticism of our initiative but, on the contrary, we received a good deal of encouragement. I shall limit myself to recalling the following words used by the United Kingdom representative, Lord Chalfont, in his statement of 30 April:

... I am extremely happy and encouraged to see that there is a great deal of work being done behind the scenes on the question of general and complete disarmament, and it is encouraging to see how ideas on that are now being formulated. I for one look forward very much to seeing how that develops when we return here after the recess.⁸

At the same meeting the United States representative, speaking on resolution 2602 E (XXIV),⁹ said:

Some delegations have already begun to give this question careful attention, and we are confident that the ideas which they have been developing, together with the thoughts that other Committee members may bring back after the recess, will be a positive contribution to our work this summer.¹⁰

12. By then we had reached the end of April, and because of the adjournment of the Conference our group too had to interrupt its work. During the short period we had met, from 5 April to the end of that month, more ideas were exchanged than we managed to put on paper. The problem we had started to tackle was so wide that some time had to elapse before the various approaches to this problem could converge in a common line of thought and be translated into common language. That is why, even if the actual wording we finally agreed upon does not carry us very far towards finding a satisfactory answer to the many questions that were raised, we honestly believe that our efforts were useful and that they could constitute a basis or a starting-point for further elaboration in this Committee.

13. While we were conscious of the incompleteness of our work and of the necessity of filling in the blanks we had left because of the limited time at our disposal, we also found ourselves in complete agreement on the necessity, before going any further, to set forth to the full Committee the modest result of our first endeavours in order to find here a larger field of agreement. We would certainly be very happy and satisfied if these efforts in the field of general and complete disarmament could somehow give a stimulus to the proceedings of the Committee.

14. May I now expose to the Committee the "Preliminary considerations representing, in general terms, the views of a number of delegations with which the delegation of Italy has been in consultation"?¹¹

15. In the first paragraph, entitled "Goal, principles and mandates", these delegations recalled: that United Nations

⁸ *Ante*, pp. 190-192.

⁹ *Documents on Disarmament*, 1969, pp. 713-715.

¹⁰ *Ante*, p. 202.

¹¹ *Post*, pp. 440-445.

General Assembly resolution 1378 (XIV) of 20 November 1959¹² and the Joint Statement of Agreed Principles of 20 September 1961,¹³ endorsed by United Nations General Assembly resolution 1722 (XVI),¹⁴ represent the basis for disarmament negotiations and for new efforts towards general and complete disarmament under effective international control; that draft treaties on general and complete disarmament were presented in 1962 by the Soviet Union¹⁵ and the United States,¹⁶ and that it had been suggested by several countries that these draft treaties could be revised and brought up to date; that United Nations General Assembly resolution 2602 E (XXIV) of 16 December 1969 requested the Conference of the Committee on Disarmament—

... to work out ... a comprehensive programme, dealing with all aspects of the problem of the cessation of the arms race and general and complete disarmament under effective international control, which would provide the Conference with a guideline to chart the course of its further work and its negotiations ...¹⁷

and finally that both in the Agreed Principles and in resolution 2602 E (XXIV) it is recognized that negotiations should continue with a view to reaching agreements on partial or collateral measures, facilitating and forming part of a programme of general and complete disarmament under effective international control.

16. In a second paragraph, entitled "Main elements of the programme", it was pointed out that progress in disarmament is not an isolated matter but is intimately connected with and influenced by problems of international peace and security and the peaceful settlement of disputes; that in order to establish the international climate of confidence and good will necessary for progress, specific measures to build up confidence should urgently be agreed upon, including special studies on certain subjects. May I note at this point that the choice of topics to be studied was left for subsequent elaboration?

17. It was further pointed out in this paragraph that, while progress is being made to build up confidence, the States members of the Conference of the Committee on Disarmament should engage themselves to negotiate meaningful measures to prevent and limit armament as well as measures of disarmament, taking into account, *inter alia*, the special studies mentioned above. It was also recognized that, in the achievement of general and complete disarmament under effective international control through measures to prevent and limit armament as well as through measures of disarmament, there should be a balance among these categories of measures.

¹² *Documents on Disarmament, 1945-1959*, vol. II p. 1545.

¹³ *Ibid.*, 1961, pp. 439-442.

¹⁴ *Ibid.*, pp. 741-742.

¹⁵ *Ibid.*, 1965, pp. 77-102.

¹⁶ *Ibid.*, pp. 111-140.

¹⁷ *Ibid.*, 1969, pp. 713-715.

18. We come now to a third paragraph, entitled "Phases of the programme". There it was recalled that the need for flexibility had been generally recognized and that the highest priority should be accorded to measures for the cessation of the nuclear arms race and for nuclear disarmament. It was then suggested that, taking into account the Agreed Principles and the United Nations General Assembly resolutions mentioned above, and further taking into account agreements already achieved on collateral measures, the Conference of the Committee on Disarmament should envisage dealing in successive phases with the main elements mentioned under the second paragraph. It was also recognized that an attempt should be made to decide upon these various phases and to outline the possible content of each phase. Again let me point out that the content of each phase was also left as a blank for further elaboration. It was further proposed that a review of the programme of disarmament could take place each year in the First Committee of the United Nations General Assembly.

19. Finally, in a fourth paragraph, entitled "General considerations", it was suggested that various problems closely related to disarmament negotiations would have to be examined. The following ones were tentatively singled out for further discussion and elaboration: priorities, balance, verification, regional arrangements, universal participation, public opinion and methods of work.

20. I do not wish for the moment to make any comments on wording that is the result of a common effort which the other representatives with whom I had the honour of working have entrusted me with explaining, in their name, in this plenary meeting. I feel that any comment at this moment on my part could alter the character of my statement today, whose only aim is to trace the origin and the cause of the convening of our group and to present its work in the most faithful and objective way.

21. I wish only to express here my sincere thanks to my colleagues for the confidence they have shown in me, and to assure the entire Committee that my delegation stands ready to continue, at any time and in any framework, the elaboration of the work we initiated in our limited group. Ours was only a *coup d'envoi* to a ball we hope will keep rolling for a long time.

22. Of course I reserve the right to intervene at a later stage of the discussion and to express whatever ideas or suggestions the Italian delegation may wish to elaborate on the problem of a comprehensive programme, to which it attaches the utmost importance.

Statement by the Argentine Representative (Ortiz de Rozas) to the Conference of the Committee on Disarmament: Revised Draft Sea-Bed Treaty, July 3, 1970¹

I am happy to know that the Committee is now resuming its normal tasks and that the procedural incident which arose yesterday is thus ended. I accept and am grateful for the apologies of the co-Chairmen and of yourself, Madam Chairman, because quite frankly I believe that they are justified and that the Argentine delegation and the whole Committee deserve them. I must say also that I am gratified that the interruption occurred, because it will enable Mr. Kutakov to hear the statement of the Argentine delegation, an advantage which otherwise he would not have enjoyed. I think I can now turn to the serious matters before this Committee.

9. My statement today, following an order of priority in relation to other subjects before this Conference, will be devoted exclusively to consideration of the draft treaty on prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and in the subsoil thereof. My remarks will refer to the revised text presented formally by the delegations of the United States of America and the Union of Soviet Socialist Republics on 23 April.²

10. Before actually embarking on a detailed analysis of this question, I should like my first few words to testify to our gratitude for the efforts of the two co-sponsors to arrive at an understanding by combining their own interests and objectives with the proposals and suggestions made by various delegations both in Geneva and in the General Assembly of the United Nations. That is proof of the spirit of conciliation which guides the co-Chairmen and emphasizes the competence of our Committee as the principal negotiating body for disarmament.

11. The document is obviously a notable and encouraging advance on the earlier drafts.³ In its basic parts it substantially resolves the points of most serious controversy, and gives us ground for hope that we are approaching the conclusion of a viable agreement on this subject. It is to be hoped that the genuine spirit of negotiation manifested so far will persist and that when the current session ends, we shall be able to put before the

¹CCD/PV. 475/Add. 1, pp. 6-13.

²*Anie*, pp. 185-188.

³*Documents on Disarmament*, 1969, pp. 473-475, 507-509.

General Assembly at its twenty-fifth session a final draft which will command the approval of the Committee and thus obtain general support in it.

12. First of all I should like to express my delegation's satisfaction with the new wording of articles I, II and IV. The Argentine amendments to that part of the treaty have virtually been incorporated in full and the slight changes introduced in article I are perfectly acceptable to us since they help to clarify certain aspects by relating them to a suitable legal procedure and to the aims and methods of the instrument.

13. I need not now go into detail on the reasons which prompted those amendments. They were explained by our delegation in the First Committee of the General Assembly when we submitted working paper A/C.1/997.⁴ I will merely repeat here what we have said in earlier statements on this subject in this Committee⁵ and in the First Committee of the General Assembly:⁶ that the disclaimer clause—which has now become article IV of the draft—would have been invalidated in practice if in the remainder of the articles controversial concepts in the law of the sea were resorted to unnecessarily. Thus it was necessary, in addition to including this clause, to amend articles I and II of the previous version of the document. We are gratified to note that the co-Chairmen accepted that approach when drawing up the revised text, since this will also facilitate our work on the remainder of the draft during the coming weeks.

14. We have no doubt that the incorporation of our amendments will make those articles a good deal more widely acceptable, since, as the Committee may remember, the original versions were criticized on many grounds in the First Committee of the General Assembly. Thus we believe that we have helped to ensure that the draft, at least in this respect, will be more favourably received in the international community.

15. I should like to refer now to article III. Here too we notice substantial progress which brings us nearer to a more acceptable formula. In the same constructive spirit in which we have always approached these negotiations, we believe it necessary to consider this article most thoroughly: first because of the importance we attach to the verification system in the context of any measure relating to disarmament and arms control; and secondly because these are the only provisions which authorize and regulate in detail certain activities of particular importance to the contracting parties and which in substance might be described as the "operative" rules of the treaty.

16. Because of the interests at stake, it is sensible that the careful drafting of those provisions should be an essential aspect of

⁴ *Ibid.*, pp. 704-707.

⁵ CCD/PV. 445, p. 19.

⁶ A/C. 1/PV. 1695, pp. 13-15.

our work. In our opinion some paragraphs still require changes which will reflect more reasonably the approach that has been recognized by the co-Chairmen—that is, to avoid raising irrelevant legal questions, and at the same time to adjust the draft to the amendments submitted by the delegation of Canada.⁷

17. To begin with paragraph 1, we note that it introduces an incorrect idea in referring to the freedoms of the high seas. We do not believe that, to express the spirit of the draft, it is necessary to include a formula which is already clearly set out in the last preambular paragraph. We are convinced that verification activities should be carried out with the greatest efficiency, and we hope that in this respect the future treaty will be as clear as possible. But that is precisely what the present wording of the draft does not achieve. On the contrary, the mention of the freedoms of the high seas in the context of paragraph 1 leads to confusion and might elicit the same legal comments as those made on the earlier wording of articles I and II subsequently improved by the Argentine amendments.

18. It would therefore be better to delete those words from the paragraph, as the representative of Brazil, Mr. Saraiva Guerreiro, very properly suggested in his statement on 25 June.⁸ We should thus revert to the language of the working paper submitted by the delegation of Canada, which by omitting the reference to the freedoms of the high seas eliminates any possibility of legal controversy irrelevant to the purpose of the treaty.

19. I will now turn to paragraph 2 of article III. To allow States directly interested in inspection to participate in it, the draft refers to the "Parties in the region". This would avoid two kinds of difficulties.

20. First, a political solution is reached which side-steps any legal problem relating to the scope of certain rights that are much debated in the international community.

21. Secondly, various States are allowed to participate in cases where there are overlapping claims to certain sectors of the continental shelf. This wording is in fact a simple expedient to forestall situations which might otherwise cause some friction between the parties called upon to intervene in a verification procedure.

22. The solution, however, does not appear so appropriate when analysed from the point of view of the control system. Indeed, there is no doubt that the expression "Parties in the region", being polyvalent, introduces considerable uncertainty and leaves those States which are to effect the verification to decide exclusively how far the expression shall apply. True, this same paragraph tries to overcome this difficulty by opening the doors to "any other Party so requesting". But then another problem arises:

⁷ *Documents on Disarmament, 1969*, pp. 596-597.

⁸ CCD/PV. 473, p. 25.

how is a party which has not been informed of "such consultation and co-operation", and may feel itself arbitrarily excluded from the flexible notion of "parties in the region", to get notice of the proposed verification activities so that it can apply for participation in them? As the draft is worded, the only logical reply is that it will be able to learn about the situation through news media such as newspapers and the radio—which of course is not exactly a suitable means or one to be recommended for a treaty of this kind.

23. It may be worth recalling that the Antarctic Treaty⁹, to which my country is a party, provides a machinery of inspection on the spot which has been used periodically since the treaty's entry into force; and that there exists for this purpose a procedure for the exchange of information which, because of the small number of the States parties, has worked perfectly. To back up our argument, we wonder how many States represented here have become aware through the news media of the decision of a State party to the Treaty to carry out the inspections it authorizes.

24. It is therefore necessary to spell out the scope of the draft as clearly as possible. We believe that this could be done by mentioning expressly the coastal State party to the treaty, so that the sentence would read, "Parties in the region of the activities, in particular the coastal State", the rest of the paragraph remaining unchanged. That would be more precise and the respective legal positions would in no way be prejudged, since the addition would operate in the political context of the notion of "parties in the region".

25. I would say further that the co-Chairmen's draft itself gives the coastal State, in its articles I and II, a privileged status for elementary considerations of security. The same reasons which justify the reservation of the twelve-mile zone to the coastal State are valid in this case. We fail to see how it can be recognized that a State has certain special powers in that zone while at the same time another aspect of the draft disregards its legitimate interest in what could occur, for example, fifteen miles from its coast through the presence of nuclear weapons and other weapons of mass destruction. In short, to be consistent we should have to apply to these provisions of the treaty the criteria laid down in articles I and II.

26. Paragraph 6 of article III provides for the manner in which verification activities should be conducted. For this purpose it appears to reflect the provisions of the Geneva Convention on the continental shelf.¹⁰ I think I ought to reiterate here the undesirability of adhering to juridical formulae which are by no means generally upheld—especially when they are employed partly for strengthening certain positions. The General Assembly's

⁹ *Documents on Disarmament, 1955-1959*, vol. II, pp. 1550-1556.

¹⁰ 14 UST 319.

experience at its last session with the Geneva Convention on the Territorial Sea and the Contiguous Zone¹¹ and its relation with this draft is very illuminating. Like that Convention, the instrument relating to the continental shelf has not obtained a representative number of ratifications; and it is therefore not difficult to foresee that the wording of this paragraph will be open to the same criticisms as were levelled in this connexion against the former articles I and II.

27. It must be borne in mind that quite recently the General Assembly, in its resolution 2574 A (XXIV), requested the Secretary-General—

... to ascertain the views of Member States on the desirability of convening at an early date a conference on the law of the sea to review the régimes of the high seas, the continental shelf, the territorial sea and contiguous zone, fishing and conservation of the living resources of the high seas.¹²

In other words, we are faced with a process which seeks to make substantial amendments to the law of the sea. The rules governing the continental shelf will undoubtedly be carefully analysed, and it is not difficult to predict that the Geneva Convention will be thoroughly scrutinized with the aim of correcting those rules which have prevented its general acceptance by the international community.

28. We believe that the most desirable and appropriate thing to do would be to adopt a provision which, while recognizing the special legal status of the coastal State—which is accepted to a greater or lesser degree by all countries—would not reflect the provisions of any instrument in particular. The question cannot be settled in the context of the draft before us; consequently the most logical procedure would be to leave those details for other, future agreements governing the status of the continental shelf.

29. That solution is also the most appropriate if we remember the sound position taken by the representative of the Soviet Union, Mr. Roshchin, who in presenting the draft said—

This treaty is not intended to settle numerous issues of maritime law, to confirm or annul obligations assumed by States under other international agreements, or to anticipate any future solutions in this field.¹³

We of course agree entirely with that appreciation, but we cannot fail to point out, and to regret, that according to our interpretation the draft takes a definite position on this question. We therefore propose in paragraph 6 the deletion of the words "the natural resources of".

30. The last sentence of paragraph 3 omits—quite properly, in our view—the word "Party" which appeared in the Canadian working paper. Obviously, if the identity of the State concerned is

¹¹ 15 UST 320.

¹² General Assembly *Official Records: Twenty-fourth Session, Supplement No. 30* (A/7630), p. 10.

¹³ *Ibid.*, p. 180.

unknown, one can hardly know whether it is or is not a party to the treaty. The present wording could, however, lead to error concerning its scope. At first sight the procedure provided in the draft is apparently applicable to Powers that do not sign the future treaty. If the inquiries referred to in paragraph 3 did not enable the identity of the responsible State to be determined, and it were not known until later when the verification procedures were started, the inspection could not continue unless the State were a party, for two reasons which we consider equally important: first, the provisions of the treaty would be *res inter alios acta* for that State; and secondly, exercise of the right conferred by the instrument could cause the very kind of international tension that the instrument is intended to avoid. We are sure that this was not the intention of the co-sponsors; but in fact the wording is not clear and we therefore see no need for retaining it in the draft, at least in its present form.

31. Lastly, paragraphs 3 and 5 of the Canadian working paper contained references to international procedures, including the good offices of the Secretary-General of the United Nations. No such references appear in the revised draft. This is a pity, since they were aimed at helping the large majority of States whose level of technological development would not enable them to undertake verification activities themselves. If the Canadian text raises difficulties for some delegations, there is nothing to preclude consideration of alternative formulas acceptable to all the States represented here.

32. The other novelty to be found in the draft text of the co-Chairmen is the new article VIII. We believe it was necessary to correct that omission, and we are gratified to note that the co-sponsors have accepted the proposal of the delegation of Mexico.¹⁴ That move was designed, most logically, to safeguard the obligations assumed in other instruments, for instance in the Treaty of Tlatelolco,¹⁵ the scope of which is broader than that of the draft before us.

33. I have analysed article III in detail because I believe that the text still contains a number of defects which should be corrected. We should have wished other amendments to be made to the draft, but we shall refrain from mentioning them at this time because we share the view expressed by the representative of the United States, Mr. Leonard, that—

... there is a need at some point to distinguish between what is essential to the basic objectives of the treaty and what may be desirable but not indispensable from the point of view of various States.¹⁶

34. We believe that the comments we have made represent a genuine effort to point out only those difficulties which are

¹⁴ A/C. 1/995.

¹⁵ *Documents on Disarmament*, 1967, pp. 69 ff.

¹⁶ *Ante*, p. 184.

specially important to the Argentine delegation, and we trust that this will be duly taken into account by the co-sponsors. We know that there are no perfect treaties, and this one will undoubtedly be no exception; but we should at least strive to produce an instrument representing an acceptable balance between the interests of the States participating in our negotiations. We are convinced that our observations will help to concord positions which, though they may at first glance appear divergent, none the less offer much latitude for understanding. My delegation is prepared, as always, to continue to collaborate enthusiastically in the search for solutions which will command the widest support for the document we are drafting.

Statement by the Mexican Representative (Castañeda) to the Conference of the Committee on Disarmament: Revised Draft Sea-Bed Treaty, July 7, 1970¹

First of all, as other delegations have done, I should like to express our satisfaction at seeing new representatives among us. I am referring especially to Ambassador Petrov of Bulgaria—although he is not here today—to Ambassador Tanaka of Japan and Ambassador Saraiva Guerreiro of Brazil. At the same time I avail myself of this opportunity to express thanks to all those representatives who on previous occasions have been kind enough to welcome me and my colleagues.

25. Today I wish to refer to the new draft treaty on the prohibition of the emplacement of nuclear weapons on the sea-bed and the ocean floor submitted jointly by the United States and the Soviet Union on 23 April.² On this occasion I shall consider certain general aspects of the treaty, including the scope of its prohibition; and in a subsequent statement I shall analyse some of its provisions in detail.

26. When the negotiation of the treaty began last year, all the members of the Committee on Disarmament except the United States and the United Kingdom showed their clear preference for a treaty which would promote the total demilitarization of the sea-bed and the ocean floor rather than one which would only prohibit the employment of nuclear weapons. A multitude of reasons were advanced, some of which appeared to be almost axiomatic, to explain why that domain, hitherto free of armaments, should remain completely demilitarized. Of course the need was recognized for States to be able to emplace on the sea-bed or the ocean floor certain devices—such as sonar devices to detect submarines—which have only an indirect and passive military character. However, apart from those logical exceptions, a

¹CCD/PV. 476, pp. 11-16.

²*Ante*, pp. 185-188.

very large majority of the members of the Committee were in favour of demilitarization and not of mere denuclearization of the sea-bed and ocean floor.

27. Shortly thereafter—in October last year—the United States and the Soviet Union submitted jointly a first draft treaty.³ That draft was a profound disappointment to us, since by prohibiting only the emplacement of nuclear weapons it indirectly but indubitably permitted the general militarization of the sea-bed and the ocean floor. I assume that it was also a disappointment to many States which before this agreement had repeatedly and categorically stated that a partial treaty such as this appeared to them unsatisfactory.

28. We have thoroughly examined the arguments adduced in justification of a treaty providing only for the denuclearization of the sea-bed. With all due respect but quite candidly, we confess that we find such arguments hardly persuasive and even contradictory. It has been said that because of enormous technical difficulties and high costs the emplacement of conventional weapons on the sea-bed is inconceivable, so that in practice it matters little whether they are prohibited or not. But if that is the case, what difficulty is there in prohibiting the emplacement of all weapons? Perhaps today it may not be profitable to emplace conventional weapons on the sea-bed or the ocean floor, but at some time in the future it very probably will be, as technology develops and progresses. We fail to understand why, if the matter is indeed of minor importance, the wishes of the large majority of States are not met.

29. On the other hand, it has been argued that conventional weapons could not be prohibited because of the enormous difficulties of verifying and controlling compliance with the prohibition. Furthermore, it has been asserted that violation of the treaty by one State would engender serious risks for the others. If that is true, we should have to agree that prohibition of the emplacement of such weapons is indeed important and by no means negligible. Thus this second argument, which also is often adduced, contradicts the first.

30. In the third place, the need is adduced, owing to the existence of submarine fleets, to instal on the ocean floor devices such as sonar and other listening and monitoring instruments. That justified need can be readily recognized. During last year's debates we proposed, together with others, a perfectly feasible solution: that the general principle of prohibition of the emplacement of all kinds of weapons on the sea-bed and the ocean floor should be enacted, and that in the following article we should either define succinctly or enumerate the devices and activities which should not be deemed to be included in the general prohibition because

³ *Documents on Disarmament, 1969*, pp. 473-475.

they were not weapons or because they had a purely indirect or passive military character. It did not seem improbable that the two States mainly concerned might agree together on that list or definition, and that after five years the conference to review the treaty might re-examine the situation. I venture to observe that neither in last year's debates in the Committee on Disarmament, nor in the General Assembly, nor in the debates here this year, have we heard a single reply to that suggestion—submitted in good faith by several States for the purpose of finding a solution satisfactory to all—that would explain why it is unacceptable.

31. The fourth reason adduced is that in the last analysis a partial treaty of mere denuclearization is only a first step; and it is added that expansion of the treaty can be proposed at any time, particularly in the review conference. But if that is true, and if in fact there is no intention to close the door forever to a more comprehensive prohibition of the emplacement of all kinds of weapons on the sea-bed or the ocean floor, frankly we do not understand why the two great Powers refuse to assume at least the obligation to continue to negotiate in future the expansion of the scope of the treaty. Those two positions also appear to us contradictory.

32. Of course, there is always the supreme argument that the best is the enemy of the good and that a limited and partial treaty is better than no treaty at all. However, if that reason is to be convincing and persuasive, then we have to overlook altogether that the exclusive prohibition of the emplacement of nuclear weapons is tantamount to permitting—I would even say, to encouraging—a non-nuclear armaments race in a domain that has hitherto been free from these. It can be foreseen—as historical experience clearly shows—that this permission, no less clear because implied, points to the principle of competition, not only between the great Powers but also between middle-sized countries, to use the sea-bed and the ocean floor for non-nuclear military purposes. Total prohibition, on the other hand, would undoubtedly put an end to that competition.

33. In fact, prohibition of the emplacement of only nuclear weapons on the sea-bed or the ocean floor would in practice mean nothing to the huge majority of non-nuclear States: first because they cannot emplace what they do not possess; and secondly because many of them have undertaken and others will undertake in the future, under the Treaty on the Non-Proliferation of Nuclear Weapons, never to possess them.⁴ Thus the present treaty would prevent them from doing something which in any event they could not do, either physically or legally. In truth, the prohibitions contained in this draft treaty are not directed at the huge majority of non-nuclear States. This instrument, by its very

⁴ *Ibid.*, 1968, pp. 461-465.

nature, is not a true multilateral treaty but a bilateral or at most a trilateral treaty.

34. It is true that in principle there would be no objection to associating ourselves with the partial prohibition that the United States, the Soviet Union and the United Kingdom are imposing on themselves; except that in doing so we should be contributing to frank authorization of the non-nuclear militarization of the sea-bed and the ocean floor. The United Nations General Assembly has already declared categorically that the resources of the sea-bed and the ocean floor may be exploited beyond national jurisdiction only for peaceful purposes.⁵ What happens, I ask, to the principle of exploitation of resources for peaceful purposes in face of the implied authority given by the new treaty for the military use of the sea-bed and the ocean floor? Have we already renounced that principle? Are we prepared to derogate from it?

35. I know full well that it is vain to aspire to ideal and perfect solutions, and that we must not disregard international realities or avoid their consequences. We are fully aware also that an agreement between the United States and the Soviet Union on a matter of paramount importance such as this is an international reality of the first magnitude which its weight imposes on all the members of the world community. We recognize that reality, but do not thereby accept it as good. That is not our responsibility. All States, or at least all groups of States in the Committee on Disarmament have different functions to fulfil. It is the duty of the two greatest Powers to seek the point at which their interests converge, which means to show realism. On us small and medium-sized Powers, especially in the group of twelve non-aligned countries in the Committee on Disarmament, devolves rather the task of considering whether the proposals coincide with the interests of the majority of States—in other words, of the international community as a whole. If we do not discharge that function for the sake of political realism, we shall fail to carry out the task which specifically devolves on us in the Committee on Disarmament and gives meaning to our participation in it. For that reason we feel it our duty to underline the risks which the draft treaty entails for the international community, apart from the fact that it is an agreement between the two Powers capable of using the sea-bed and the ocean floor for military purposes and as such means something positive.

36. We shall endeavour, then, to shape our course between those two extremes. Without disregarding the importance of the agreement arrived at between the Soviet Union and the United States, we shall attempt to suggest the smallest changes in the draft treaty which seem to us compatible with the interests of the

⁵*Ibid.*, pp. 802-804; General Assembly Official Records: Twenty-fourth Session, Supplement No. 30 (A/7630), p. 10.

many non-nuclear States. The best and most logical way of achieving that purpose would, of course, be to revert to the initial idea of the large majority of the members of the Committee—in other words, total demilitarization. We realize, however, that the agreement arrived at makes this impossible; and so we shall not propose it. However, although we cannot yet agree on the total demilitarization of the sea-bed and the ocean floor, at least we ask for a formal declaration that the mere denuclearization which has been agreed so far is in fact but a first step, is only temporary, and that the two great Powers will continue to negotiate in good faith with a view to agreeing eventually on a more complete demilitarization of the sea-bed and the ocean floor.

37. We are not proposing, of course, that they should assume the obligation to agree; no one can be compelled to do that. But we ask them to assume the obligation to attempt in all seriousness to do so. It is not a very heavy obligation; it is a limited one. But at least it must be clearly and categorically stated in an article, as it was in the Treaty on the Non-Proliferation of Nuclear Weapons of 1968. It is not enough to hint at that obligation in more or less ambiguous terminology in the preamble. If there is the intention to comply, then there is no reason why anyone should oppose its insertion in a legal provision of the treaty. If there is no intention to undertake such negotiations, then it is almost pointless to refer in the preamble to the good will which inspires the great Powers. Sweden has proposed a concrete formula giving effect to this concept which appears to us fully satisfactory.⁶ For the present it would be idle for me to go into further detail.

38. Another indispensable amendment would provide to the largest degree possible for concerted international, especially multilateral, action to strengthen the control and inspection machinery of the treaty. The co-Chairmen incorporated in their second version part of the Canadian proposals,⁷ but omitted the reference to the good offices of the Secretary-General of the United Nations. It appears to me desirable to provide for action by United Nations bodies as necessary, through some perhaps rather more general form of words. My delegation was not entirely satisfied with the reference to the "good offices" of the Secretary-General. The expression "good offices" has a technical connotation in international law: it is a means for the peaceful settlement of disputes. But what we are seeking is not always action by the Secretary-General for the settlement of an actual dispute, but rather that this officer shall assist a State which lacks the means to carry out by itself a costly and difficult inspection when a suspicious event has occurred on its coast. It would therefore be preferable to refer in more general terms to the action

⁶ See *Documents on Disarmament*, 1969, p. 486.

⁷ For the Canadian proposals, see *ibid.*, pp. 481-482. The second joint draft treaty appears *ibid.*, pp. 507-509.

of United Nations bodies, which would include action both by the Secretary-General—whether good offices or not— and by the Security Council under article III of the treaty.

39. As I have said earlier, I shall analyse in detail in a subsequent statement some of the provisions of the treaty.

**Statement by the Soviet Representative (Roshchin) to the
Conference of the Committee on Disarmament: Revised Draft
Sea-Bed Treaty, July 7, 1970¹**

I should now like to speak as representative of the Soviet Union.

60. In my statement today I shall deal with the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor. The three weeks that have elapsed since the resumption of the present session have shown that members of the Committee clearly desire to complete the preparation of the draft treaty at this session of the Committee so that the draft can be submitted to the United Nations General Assembly at its twenty-fifth anniversary session. We fully share that desire.

61. I should also like to say that, as the discussion in the Committee has indicated, the changes that have been made and the revised draft treaty of 23 April,² on the whole, have the approval of the members of the Committee. A number of delegations have, however, put forward comments and amendments relating to the draft. Some of these were submitted earlier, at previous sessions of the Committee and at the twenty-fourth session of the General Assembly, while others are being advanced for the first time. Our general impression is that, although some of these proposals concern fairly important matters of principle, they do not affect the essence of the treaty.

62. Thus, some delegations are still pressing for the inclusion in the article on verification of a provision concerning international procedures and the good offices of the Secretary-General of the United Nations. The Soviet delegation would like to explain why it cannot accept that proposal.

63. As to the provision on international procedures and the good offices of the Secretary-General which has been suggested for inclusion in the sea-bed treaty, we should like to stress first of all that our opposition to the proposal is, of course, in no way connected with our attitude to the individual who now heads the United Nations Secretariat—the Secretary-General of the United

¹ CCD/PV. 476, pp. 21-26.

² *Ante*. pp. 185-188.

Nations—whom we hold in high esteem. The sea-bed treaty is to be concluded for a term of many years, for decades, and our objections to the inclusion of a provision concerning the Secretary-General cannot therefore relate to the present incumbent of that post. Our approach to this proposal is based on the fact that the question of international procedures and the good offices of the Secretary-General form part of a wider problem that goes beyond the scope of the draft treaty under discussion and cannot be settled in the Committee on Disarmament, which is concerned with questions within a clearly defined range.

64. We have no desire to involve the Committee in a discussion of topics outside its competence, but simply wish, in order to explain our position, to remind it of past occasions on which some Western Powers have tried to foist on the Secretary-General political functions designed to secure the adoption of a policy corresponding to their own narrow interests. Such a situation arose, for instance, during the events in the Congo and also in connexion with other international developments, and served to increase international tension and to undermine the position of those who headed the United Nations Secretariat in the past. At the time, we made statements to that effect in the United Nations saying what we thought of such activities. We have also repeatedly pointed out that the geographical distribution and deployment of staff in the United Nations Secretariat is not, unfortunately, such as to inspire confidence that the interests of all the main groups of States are equally safeguarded. The present deployment of staff gives some Western Powers a certain advantageous position and in many instances enables them to pursue a policy which is not in the interests either of other States or groups of States or of international peace and security in general.

65. In reminding the Committee of our position on this question, we should like to stress once again that it can be solved only on a broad basis. In our opinion, therefore, it would be improper for the Committee to divert its attention to the discussion of this question in connexion with a measure such as a treaty on the prohibition of the emplacement of weapons of mass destruction on the sea-bed. That is why the Soviet Union cannot agree to the inclusion in the sea-bed treaty of a provision which might serve as a cover for attempts of all kinds by some Western countries to utilize international institutions in a manner detrimental to the interests of other States or groups of States and to international peace and security in general.

66. It must also be borne in mind that the establishment within the United Nations of a group to supervise observance of the sea-bed treaty would involve substantial and, in our opinion, unnecessary expense. Reference to this point has already been made today by the representative of Czechoslovakia and we are in complete agreement with him. We share his views on this point as

well as on the whole question of a provision on international procedures and the good offices of the Secretary-General.

67. A solution to the problem raised by delegations proposing the inclusion in article III of a provision on international procedures and the good offices of the Secretary-General is in fact provided by the right accorded to States in the sea-bed treaty to refer questions concerning the observance of the treaty to the Security Council, which may take action in accordance with the United Nations Charter, and also by the right of verification which may be undertaken by a Party using its own means or with the full or partial assistance of any other State Party to the treaty.

68. Those who favour including a provision on international procedures in the article on verification say that such a provision is necessary as a starting-point for future international machinery to ensure the peaceful exploitation of the sea-bed and the ocean floor in the interests of all States. This idea was expressed, in particular, by Mr. Edelstam, the representative of Sweden, at the meeting on 25 June.³ The provision he favoured would prejudge, in the treaty prohibiting the emplacement of weapons of mass destruction on the sea-bed and the ocean floor, the solution of questions relating to a different problem being dealt with by the United Nations Committee to study the Peaceful Uses of the Sea-bed and the Ocean Floor. We believe that to attempt to use this treaty prohibiting the use of the sea-bed for military purposes for the solution of international problems not really directly related to the substance of this treaty would be to adopt an incorrect procedure conducive neither to the solution of such problems nor to the conclusion of the treaty. The limitation or prohibition of the military use of the sea-bed would, of course, have an extremely favourable effect on its peaceful use. The draft treaty was prepared precisely with the future possibilities of the peaceful use of the sea-bed and the ocean floor in mind and in the interests of such use. The first preambular paragraph of the draft recognizes the common interest of mankind in the progress of the exploration and use of the sea-bed and the ocean floor for peaceful purposes. We believe that this form of words properly reflects the link between these aspects. My delegation notes with satisfaction that Mr. Khallaf, the representative of the United Arab Republic, also referred in his statement today to the inadvisability of "mixing"—to use his term—questions relating to verification of the non-utilization of the sea-bed for military purposes with questions relating to the peaceful use of the sea-bed. Here we fully agree with the position taken on this important matter.

69. We should also like to point out that, as a number of representatives have stated, it is realized that all the suggested amendments cannot be incorporated in the document we are

³CCD/PV. 473, pp. 16-17.

preparing nor can all viewpoints be reconciled, because some of them are mutually exclusive. We share the view of Mr. Ortiz de Rozas, the representative of Argentina, who said in this Committee on 3 July:

... we should at least strive to produce an instrument representing an acceptable balance between the interests of the States participating in our negotiations.⁴

70. It has also been proposed that we should again consider the possibility of including in the treaty an article on the need for further negotiations on a more comprehensive demilitarization of the sea-bed. The representatives of Mexico, Czechoslovakia and the United Arab Republic have spoken on this question. The position of the Soviet Union on the matter is well known to the members of the Committee. Having regard to the need to take the views of its partners in the negotiations into account, it agreed to such a provision being included in the treaty as a preambular paragraph. We share the view of Mr. Zybylski, the representative of Poland, who, on 18 June, urged the Committee to keep the question of the demilitarization of the sea-bed and the ocean floor on its agenda.⁵ It is our understanding that this proposal by the representative of Poland also has the support of the Swedish delegation, one of the delegations which initiated the proposal that an article on demilitarization should be included in the text of the treaty.

71. On 25 June, the delegation of Sweden further proposed the inclusion in the verification article of an additional provision, concerning the exclusive right of coastal States to verify the sea-bed zone between the limit of territorial waters, where the width of such waters is less than twelve nautical miles, and the twelve-mile limit.⁶ While fully recognizing the Swedish delegation's efforts to achieve the best possible assurance of strict compliance with the provisions of the treaty, we should like to point out that the existing wording of the draft treaty quite plainly excludes the possibility of any verification activity by States other than coastal States within the twelve-mile coastal zone. Article III, paragraph 1. for instance, contains the following statement:

In order to promote the objectives of and ensure compliance with the provisions of this Treaty, each State Party to the Treaty shall have the right to verify through observation the activities of other States Parties to the Treaty on the sea-bed and the ocean floor and the subsoil thereof beyond the zone referred to in Article I ...⁷

"Beyond the zone referred to in Article I" means beyond the twelve-mile coastal zone. Similarly other verification measures, including inspection, can only be undertaken beyond such a zone.

⁴ *Ante*, p. 289.

⁵ CCD/PV. 471, p. 7.

⁶ CCD/PV. 473, pp. 17-18.

⁷ *Ante*, p. 186.

since, according to article III, paragraph 2, such measures can be carried out only:

If after such observation reasonable doubts remain concerning the fulfilment of the obligations assumed under the Treaty . . .⁸

It follows that where "such observation" has not been carried out, other verification measures cannot take place.

72. But would that mean that, where the width of territorial waters is less than twelve nautical miles, the belt between the outer limit of such waters and the twelve-mile limit remains uncontrolled? In our view, article 1, paragraph 2, which reserves the right of coastal States to undertake activities prohibited by the treaty within the zone referred to, presupposes that it is those States, i.e. the coastal States, that are to exercise control functions there. That is how we understand the matter.

73. In conclusion, we should like to stress once again that, on the whole, we assess favourably the desire of the States represented in the Committee for the speedy conclusion of the sea-bed treaty. We should like to point out in this connexion that this desire has been reflected in statements made not only by representatives in this Committee but elsewhere. We are gratified, for instance, that in the Soviet-Pakistan communiqué published on 26 June on the occasion of the visit to the Soviet Union of General Agha Muhammad Yahya Khan, the President of Pakistan, it was stated that the draft treaty prepared by the Committee on Disarmament corresponds to the interests of all countries of the world and should be presented to the United Nations General Assembly at its twenty-fifth session and then opened for signature.⁹

74. The same desire was recorded in the Soviet-Swedish communiqué published on 20 June on the occasion of the visit to the Soviet Union of Mr. Palme, the Prime Minister of Sweden.¹⁰ That communiqué stressed the importance of the disarmament negotiations in Geneva leading to the speedy conclusion of the treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and in the subsoil thereof.

75. I trust that we shall soon be able to complete our work on the treaty and that it will be duly submitted to the General Assembly of the United Nations at its twenty-fifth session.

⁸ *Ibid.*

⁹ *Pravda*, June 26, 1970, pp. 1, 4; *Current Digest of the Soviet Press*, vol. 22, no. 26 (July 28, 1970), p. 29.

¹⁰ *Pravda*, June 20, 1970, pp. 1, 4; *Current Digest of the Soviet Press*, vol. 22, no. 25 (July 21, 1970), p. 22.

Statement by the Mexican Representative (Castañeda) to the Conference of the Committee on Disarmament: Sea-Bed and Ocean Floor, July 9, 1970¹

As I announced in my last statement,² today I shall make some concrete suggestions which, I believe, may improve the content of the draft treaty on the prohibition of the emplacement of nuclear weapons on the sea-bed and the ocean floor.³

21. We have stressed in this and other forums the need to establish a close link between the prohibition of the arms race on the sea-bed and the ocean floor and the preservation of an international sub-marine zone exclusively for peaceful purposes. Like most countries, we believe that that area is the common patrimony of mankind. Consequently, the present treaty could not derogate from that principle, or detract from it or modify it. However, the treaty neither establishes nor even mentions any connexion between the two objectives, namely, the prevention of the arms race on the sea-bed and the ocean floor and the preservation for peaceful purposes of a zone situated beyond national jurisdictions that is the common patrimony of mankind.

22. We therefore believe that the preamble to the treaty should reflect our conviction that all military activity should be prohibited which is prejudicial to the principle that the international sub-marine zone, deemed to be part of the collective legacy of mankind, must be used for peaceful purposes only. Of course, that would not imply prejudging the special features of the regime that is to be established for the proper use of the resources of that zone. On that score, we share some of the ideas expressed by the representatives of Sweden and India, who, at earlier meetings, have emphasized that exploration and exploitation of this under-water area must be carried out for the benefit of mankind.

23. I shall now refer to articles I and II of the draft treaty. It is a sound principle of legal drafting that treaties should possess the greatest possible degree of autonomy. Every agreement should contain clear and precise juridical elements likely to make it self-explanatory and self-sufficient on perusal, thus obviating the need to refer to international instruments separate from the treaty. The draft treaty we are considering is far from fulfilling that requirement. It is true that at various drafting stages it has undergone changes, thanks to the amendments proposed by Argentina,⁴ which improve the text so far as its field of application is concerned. None the less, the initial conception and

¹ CCD/PV. 477, pp. 10-20.

² *Ante*, pp. 289-294.

³ *Ante*, pp. 185-188.

⁴ *Documents on Disarmament*, 1969, p. 704.

structure of the first draft submitted jointly by the co-Chairmen in October 1969 basically remain.⁵

24. Article I refers to two distinct geographical zones and subjects each to a different legal regime. But article I does not define their respective geographical limits; instead of that it contains reference to article II, which of itself somewhat complicates the problem. Nor does article II establish a delimitation of the two geographical zones; rather it refers in its turn to the 1958 Geneva Convention on the Territorial Sea and the Contiguous Zone⁶.

25. That is not all. Article II does not stop at mere reference to the Geneva Convention but, in order properly to define the geographical zone to which the treaty applies, it finds that it has to make another cross-reference, the third, to something else. But, paradoxically, that something else is none other than article I, which had previously referred the reader to article II. Article I, paragraph 1, states that the parties undertake not to emplant or emplace nuclear weapons "beyond the outer limits of a sea-bed zone as defined in article II . . .". Article II in turn uses the words "the outer limit of the sea-bed zone referred to in article I . . .". This looks like a vicious circle and is the most involved normative structure I have ever encountered in a treaty.

26. But the confusion does not end there. As I said, article I refers to two zones: one which is beyond a line twelve miles from the coast and to which the treaty applies—that is to say, in which the emplacement of weapons is forbidden—and another which is within the twelve-mile limit, where in principle the treaty prohibitions do not apply. But article II refers only to "the sea-bed zone referred to in article I" without indicating which of the two zones is meant. One would think that it is easy to determine which is meant, but that is far from being the case. It would be logical if the zone which is to be defined were the same as the zone to which the treaty applies—i.e. the zone in which the treaty prohibits certain activities and which is beyond the outer limit of the twelve-mile wide zone. However, that is not the case. Article II states that "the outer limit of the sea-bed zone referred to in article I shall be coterminous with the twelve-mile outer limit . . ." of the contiguous zone contemplated by the Geneva Convention. That leads me to assume, although I am not completely certain, that article II refers to the zone on the land side, that is to say within the twelve-mile limit as measured from the coast. The back-reference in article II to that zone instead of to the other is inappropriate since, as I have said, the zone that has to be defined is the one to which the treaty applies—in other words, the one in which the treaty prescribes certain things—and not the zone in which the treaty in principle does not establish a prohibition.

⁵*Ibid.*, pp. 473-475.

⁶15 UST 1606.

27. The uncertainty and the confusion do not stop there either. Article II¹ also includes a cross-reference to "the zone referred to in article I" without specifying which of the two zones is intended. However, to complicate matters even further, article III appears to make reference to the zone which is in the open sea—i.e. beyond the twelve-mile limit—contrary to what is done in article II.

28. All this is far from constituting the best imaginable method of legal drafting. These various cross-references are not only confusing; but also unnecessary. I have never understood—and in any event not been convinced by—the reasons why it was felt necessary to make reference to the contiguous zone provided for in the 1958 Convention on the Territorial Sea, which incidentally is in force only as between fewer than half of the countries members of the present international community. Originally, the only function of that reference was to allude to a twelve-mile zone without actually saying so. One gets the impression that there was a desire not to confess openly that what was meant was a twelve-mile zone. But that reason has disappeared. The present draft treaty clearly states that it is a twelve-mile zone. Why, then, is the Geneva Convention still invoked when it is the cause of all these complications?

29. That is all the more paradoxical since the authors of the draft have always insisted, and rightly, that the treaty should not affect either the positions or the rights of the parties deriving from the law of the sea—a provision which is enshrined in article IV of the draft treaty. In other words, the aim has been, quite correctly, to separate the regime of this treaty from the general regime of the law of the sea. It is therefore contradictory, quite apart from being highly confusing, to indicate by implication and cross-references that the zone alluded to in article I shall be coterminous with the twelve-mile outer limit of the contiguous zone contemplated in the Geneva Convention. Moreover, once it is expressly stated that that zone is twelve miles wide, nothing is gained, from the point of view of law, by then mentioning that it is coterminous with that contiguous zone. That is merely a complicated and unnecessary way of describing the twelve-mile zone.

30. Such drawbacks could be avoided by stating things clearly through the use of a simple and almost self-sufficient formula. Thus, paragraph 1 of article I might simply read:

The States parties to this treaty undertake not to emplant or emplace on the sea-bed and the ocean floor and in the subsoil thereof beyond a twelve-mile zone, measured in accordance with article II, any nuclear weapons . . .

Article II would then confine itself solely to stating how that zone was to be measured.

31. I now turn to paragraph 2 of article I. This paragraph gives rise to more than one doubt. In simple language, the paragraph means that the other States will not be able to emplant nuclear weapons within a twelve-mile zone along the shores of the coastal

State without the consent of the latter. Stated in the terms of paragraph 2, the obligations of the treaty "shall not apply either to the coastal State or to the sea-bed beneath its territorial waters". In the first place, it seems to me that a State, on the one hand, and the sea-bed, on the other, are such different notions that it is hardly possible to say in the same sentence that an obligation is not applicable to either the one or the other. But apart from this defect of legal drafting, the problem arises of interpreting the meaning of this paragraph.

32. When one says that the obligations of the treaty shall not apply "to the coastal State or to the sea-bed beneath its territorial waters", two zones in which the obligations do not apply are indicated. In other words, the phrase "or the sea-bed beneath its territorial waters" necessarily means something different from the twelve-mile zone to which the first part of this paragraph refers. In accordance with the principle of effectiveness in the interpretation of treaties, of two possible interpretations the one which permits some meaning to be given to an expression or term must be chosen and the other interpretation—that which would make the phrase or term meaningless and pointless—must be discarded. If an expression or wording appears in a treaty, there must be some reason for its presence. The wording "or the sea-bed beneath its territorial waters" could not, then, be interpreted as a mere pointless and meaningless repetition of another concept which already appears in the same paragraph. If that wording was added, it must, as I say, mean something different from the twelve-mile zone contemplated in the same paragraph.

33. In order to unravel the true meaning of this added expression we must consider all possible hypotheses. The sea-bed and the ocean floor beneath the territorial waters of the coastal State may be narrower than, equal to or wider than the twelve-mile zone within which, according to the first part of this provision, the treaty obligations do not apply. If the territorial waters above the sea-bed and the ocean floor are narrower than or equal to twelve miles, then the words at the end of the paragraph, namely "or the sea-bed beneath its territorial waters", are quite meaningless—or, to put it differently, it would not be applicable inasmuch as the interests of the coastal State are already safeguarded by the first exception, namely, that of the twelve-mile zone. Consequently, if the words "or the sea-bed beneath its territorial waters" are to have some meaning of their own and not be a useless repetition of what has already been said, they must logically and necessarily relate to the third and last possible hypothesis: that the territorial waters are wider than the twelve-mile zone to which paragraph 1 of article I of the treaty refers, since only on the assumption that they are wider would they not already be included in the other exception designed to protect the rights of the coastal State.

34. This can take us very far. The words "or the sea-bed

beneath its territorial waters" which appear at the end of paragraph 2 of article I, could be legally interpreted as authorizing a State to emplant or emplace weapons of any kind, nuclear or conventional, not only within the twelve-mile zone permitted by the treaty, but even within a considerably larger area, extending to as much as 200 miles—if its territorial waters go that far—since, as is well known, there is no agreement on the width of the territorial sea and there are of course diverse and often conflicting claims as regards the delimitation of such waters.

35. It would be extremely dangerous if a State, on the pretext of exercising acts of sovereignty within what it subjectively and unilaterally regards as its own territorial sea, were to wish unjustifiably to transfer the arms race to a zone of the sea-bed beyond twelve miles from the coast.

36. The concern we are expressing becomes even more pronounced when we carefully examine the content of article IV of the draft treaty. If we read both provisions together, we find that under article IV the treaty neither supports nor prejudices the position of any State with respect to the conventional law of the sea or with regard to any other question relating to rights or claims which States may assert over territorial waters, contiguous zones, or continental shelves. It is obvious that in such circumstances any State could render the treaty nugatory by wrongfully invalidating the extent of area over which the treaty operates. I am sure that this was not the intention of the two co-Chairmen.

37. The representative of the United Arab Republic—you yourself, Mr. Chairman—rightly pointed out at our meeting of 7 July that this oft-mentioned clause, which had some meaning in the context of the original Argentine amendments, had lost it in the framework of the co-Chairmen's present draft.⁷

38. Consequently, with reference to paragraph 2 of article I, we make two suggestions: first, that the words "or the sea-bed beneath its territorial waters" should be deleted; and, secondly that, in keeping with the wording used in the draft submitted to the Conference by the co-Chairmen in October 1969,⁸ it should be stated that the undertakings of paragraph 1 of article I shall also apply within the twelve-mile zone. The word "within", which would make things somewhat clearer, has disappeared from the latest version of the treaty, that of 23 April.⁹

39. I should now like to make a suggestion relating to the substance of the prohibition in article I. The commitment undertaken under that provision imposes on the contracting parties the obligation not to emplant or emplace on the sea-bed or the ocean floor within the limits indicated in the treaty nuclear weapons or any other types of weapons of mass destruction. While

⁷ CCD/PV.476, p. 20.

⁸ *Documents on Disarmament*, 1969, pp. 507-509.

⁹ *Ante*, pp. 185-188.

it is true that the latter expression—weapons of mass destruction—is in current use and has been given its naturalization papers in the special terminology of disarmament, its scope has not been precisely defined and it is undoubtedly open to misunderstanding. In order to avoid the generality of the term it would be useful to include a description, by way of example, of some of the weapons that have a destructive power of such a nature. Thus, in the prohibition specific mention might be made of chemical and biological weapons, which certainly fall within that category of armaments. Such a reference would help to define more strictly the ambit of the military prohibitions embodied in the treaty, apart from providing greater clarity as to the types of weapon which are to be excluded from the sea-bed.

40. I now turn to article III and to some of the suggestions submitted to this Conference for consideration. Only a few days ago the delegations of Brazil and Argentina made observations which we consider very interesting.¹⁰ Indeed, quite clearly the obligations and rights contained in the various paragraphs of article III deserve careful analysis, and certain concepts need to be rounded out, to prevent the observation and verification procedure from failing to fulfil the purpose for which it was intended.

41. With reference to paragraph 1, as the representative of Brazil pointed out on 25 June, the participation of the coastal State in the verification through observation is not laid down in precise terms.¹¹ It is true that such verification may be limited to observation *stricto sensu*, but it is not difficult to imagine that it might go further if it is to be truly effective, and include a certain amount of investigation and exploration. In such cases, and for the purpose of not interfering unjustifiably with the legitimate maritime activities that the coastal State may engage in, it is right to provide it with a guarantee with respect to acts that go beyond simple observation, particularly in certain areas like the continental shelf of the coastal State, where the latter has obvious economic and security interests. Hence the need for the State concerned to be notified of the observations being conducted beyond twelve miles from its coasts in areas of specific interest to that State.

42. We agree with the delegation of Brazil in thinking that in paragraph 2 of article III the coastal State should be categorically given the right not only to be notified of the consultations and the measures of co-operation engaged in by the States situated in the region but also to participate in them. For that reason specific mention ought to be made of the competence of the State concerned to act on such matters not as a mere possibility but as an authentic right, so that the interests of that State may be sufficiently guaranteed in the inspection procedure conducted by other countries.

¹⁰ CCD/PV. 473, pp. 22 ff.; *ante*, pp. 283-289.

¹¹ CCD/PV. 473, p. 26.

43. We believe too that the comments made by the representative of Argentina at the meeting of 3 July concerning "parties in the region" in which the activities are conducted are of special relevance to a clear definition of that expression which in its present wording is too ambiguous. If, as proposed by the representative of Argentina, the words "in particular the coastal State" were added, the rights of that State would be better protected.¹² We therefore support his proposal.

44. On the other hand, we do not share the point of view of those delegations which would eliminate the notion of the freedom of the high seas from paragraph 1 of article III. Not only is that a concept which belongs to conventional law but it must be regarded as an integral part of international customary norms and hence of general international law. The freedom of the high seas is no longer a matter of controversy. What might be open to discussion is the precise delimitation of where the high seas begin—or, if you wish, where they end. However, in the context of this paragraph the aim is to prevent the observation conducted by States from infringing rights recognized by international law, including the freedom of the high seas. It is not a question of restricting or limiting the rights of the coastal State but rather of protecting and guaranteeing the freedoms enjoyed by all other States.

45. The representative of Argentina proposed an important amendment to paragraph 6 of article III.¹³ Broadly speaking we support it but we have some doubts concerning the actual wording proposed. The situation is as follows. Paragraph 6 provides that the verification shall be conducted with due regard for "the sovereign or exclusive rights of a coastal State with respect to the natural resources of its continental shelf under international law". That terminology follows closely, though not exactly, the language of the 1958 Geneva Convention on the Continental Shelf.¹⁴ This Convention provides that the coastal State exercises sovereign rights over the continental shelf as regards the exploration and exploitation of the shelf's natural resources. In other words, the sovereign rights attributed to—or, if you wish, recognized to—the coastal State are limited by the objective of exploiting natural resources. The Geneva Convention, then, does not recognize to the coastal State general sovereignty over the continental shelf.

46. During the 1958 Geneva Conference attempts were made to obtain recognition of the full sovereignty of the coastal State over the shelf. Some may remember that it was Mexico which was the sponsor of a proposal to the Conference to recognize full sovereignty over the continental shelf to the coastal State. Our proposal was defeated, although it obtained a large number of votes. The thesis that was approved, whereby limited sovereign rights were recognized to the coastal State for the exploitation of

¹² *Ante*, pp. 285-286.

¹³ *Ante*, p. 287.

¹⁴ 15 UST 471.

resources, ultimately obtained an overwhelming majority of votes at the Conference. We abide by that decision and are fully convinced that at the present time the Geneva Convention reflects and expresses the existing rule of international law on the matter. For that reason we have no objection to make to the present paragraph 6 of article III.

47. However, we recognize, together with Mr. Ortiz de Rozas, that the Geneva Convention is in force only as between a small number of States—approximately one-third of the international community—and that the thesis it embodies is only one of the existing theses. But to agree that the Geneva Convention is not being universally applied is not the same thing as agreeing that any other of the theses being asserted at the present time is the authentic expression of existing international law. The number of States calling for full sovereignty over the continental shelf is probably very small.

48. In the circumstances we have no objection to changing the present wording of paragraph 6. But the result of that change should be that the treaty in no way pronounces on this controversial question, that is, that it does not side with any of the various positions. Such a solution would be more in line with article IV of the treaty, which divorces, so to speak, the general questions of the law of the sea from the present treaty.

49. The amendment submitted by Argentina would have not that result but the other. If we omit from the present text the words "the natural resources of" as proposed by Argentina, the text would read: "...with due regard for the sovereign or exclusive rights of a coastal State with respect to its continental shelf under international law". That would imply the validation of one of the existing theses—and certainly a thesis supported by a small minority—namely that the coastal State exercises general sovereign rights over the shelf, i.e. rights not limited to the exploitation of resources. And that would be tantamount to recognizing, through this treaty—or, I would venture to say, through the back door of this treaty—that the coastal State exercises sovereignty over the continental shelf.

50. For an amendment to paragraph 6 to be acceptable it would have to be more impartial. That which comes immediately to mind is the following: "with due regard for the rights of a coastal State with respect to its continental shelf under international law". In that formulation the type of rights exercised with respect to the continental shelf is not specified—whether they are general sovereign rights or sovereign rights limited to the exploitation of resources. I should think that the co-Chairmen would have no objection to a wording such as the one I have indicated, but for my part I wonder whether such general terms would in fact be of greater value and usefulness than the present text.

51. The preceding remarks relate exclusively to the text of the treaty as it stands at present. However, certain matters are not touched on in the draft treaty and have not been adequately

studied by this Conference. When we changed our original purpose, which had presupposed the prohibition of all types of weapons on the sea-bed and on the ocean floor, and when the treaty was limited to the exclusion of nuclear weapons from that zone of the sea, the attention of the Committee was diverted mainly to those aspects of the treaty which relate rather to verification of its implementation. As a result, it has not been sufficiently noticed that the emplacement of certain conventional weapons on the sea-bed and the ocean floor of a country in the proximity of the outer limit of the permitted twelve miles may seriously prejudice the security of that State. Since we are legislating for the purpose of excluding the arms race from the sea-bed and the ocean floor, it would seem desirable to establish a rule which would also prohibit the emplacement on any State's continental shelf of conventional weapons as well.

52. Various representatives have repeatedly referred to these questions and have indicated that they are anxious to include a rule that would protect their rights over the continental shelf. It is also true that in paragraph 6 of article III, on which we have already commented, these considerations are partly taken care of since the paragraph states that the verification to be conducted must show due regard for the sovereign rights of a coastal State in that sub-marine zone.

53. But mention has been made only of verification activities. Our concern goes further and relates mainly to the possible emplacement of conventional weapons—for instance, mines or guided missiles with non-nuclear warheads—on the continental shelf of a State, even beyond the limits of the twelve-mile sea-bed zone laid down in the treaty. Under the present terms of the treaty—under what is allowed by the treaty—a State would have the right to encircle another by the emplacement of conventional weapons on the continental shelf outside the maritime belt laid down in the treaty—say, thirteen miles from the shores of the coastal State. It is technically easier to emplace non-nuclear devices of even kind on the continental shelf of another State than on the ocean floor since this plateau extends not too far below the surface of the sea over distances that in many cases are greater than twelve miles. The serious consequences for the security of a coastal State deriving from that situation are quite obvious.

54. Consequently, if the militarization of the entire sea-bed and ocean floor is not to be prohibited it would appear to be desirable at least to insert a rule prohibiting the use of the continental shelf of any State for military purposes. That would include, *inter alia*, the establishment of military bases, structures, installations, fortifications and other devices of important military value in this sub-marine zone. Of course, that does not mean that the prohibition includes those devices of a purely passive or indirect defensive character, such as means of communication, shipping and surveillance.

55. The purpose of the observations I have made today is to ensure that the treaty will constitute a contribution, however small, to the limitation of armaments. It is also possible that with the inclusion of these formulas the contents of the treaty may be made more acceptable to the members of the international community.

Netherlands Working Paper Submitted to the Conference of the Committee on Disarmament: Radiological Warfare, July 14, 1970¹

A. Prospects for radiological warfare

Two modes of radiological warfare are distinguished in the literature, and also in the United Nations General Assembly resolution:² on the one hand the use of nuclear weapons in such a way as to maximize their radioactive effects, on the other hand the use of radioactive agents independently of nuclear explosions.

It is technically possible to manufacture nuclear weapons in such a way that they will cause a maximal amount of fall-out. But it is not probable that a country would deliberately do so, because it would hardly offer distinct military advantages. If nuclear weapons would ever be used, it may be assumed that they will be used with the aim of achieving a decisive effect against an opponent in a short span of time. The short-term lethal effects of a nuclear explosion are caused by blast, heat and initial radiation. Increasing the fall-out would cause harmful effects after weeks, months and even years. Normally, such long-term effects would seem not to be interesting from a military point of view. Moreover, the attacked area would become badly accessible on account of its radioactive contamination. The trend in nuclear weapons technology is going in the direction of cleaner weapons rather than dirtier ones.

The second method of radiological warfare, namely the use of radioactive agents independently of nuclear explosions, is likewise not very plausible.

In order to kill or harm people within a few hours, a radiation dose would be required of at least 1,000 roentgen. But the highly radioactive isotopes one would need for that purpose all have a short or very short half-life. This implies that they cannot be stored for later use. It is true, such isotopes can be produced. For instance, by irradiating uranium in a high-flux reactor one would obtain a considerable amount of highly radioactive material which would remain lethal during a few days. But the transport of this material to the target area would be a very difficult and cumbersome job, in the first place on account of the heavy protective shielding which would be needed for this extremely

¹ CCD/291, July 14, 1970.

² *Documents on Disarmament*, 1969, p. 712.

dangerous material. Large-scale use of such isotopes for so-called strategic purposes is out of the question.

Whereas the use of highly radioactive materials for causing short-term effects would run into almost unsurmountable practical difficulties, the same does not apply to the use of less radioactive materials which can harm life or health after months or years. For this purpose one might use materials having a long half-life, for instance strontium-90, which has a half-life of thirty years. Such materials are not so difficult to handle and can be obtained relatively easily from the radioactive waste of reactors. But here the same would apply as with regard to the deliberate manufacture of "dirty" nuclear weapons: What would be the military rationale for achieving these long-term harmful effects?

Summing up: judging by the available information possibilities for radiological warfare do exist theoretically, but do not seem to be of much or even of any practical significance.

B. Arms control aspects of radiological warfare

In the light of the foregoing considerations it is difficult to see the practical usefulness of discussing arms control measures related to radiological warfare.

Netherlands Working Paper Submitted to the Conference of the Committee on Disarmament: Laser Technology and Arms Control, July 14, 1970¹

A. Survey of possible military applications of laser technology

For the purpose of this survey possible military applications can be divided into *three* categories.

1. Applications which, by themselves, are not weapons, some of which are already in an advanced stage of development or, in some cases, operational.

First of all, there are applications which have no typical military character but may prove to be equally important for civil and for military purposes. One such application is the use of laser beams for communication purposes. Lasers offer far-reaching possibilities for communications. It is theoretically possible that a great number of messages can be transmitted simultaneously by means of one single laser beam. Another example of laser technology is the construction of optical computers. Both laser communication systems and laser optical computers could be suited for military uses.

Another form of laser technology, which is more directly relevant to warfare, is the laser range-finder. Here lasers can be used instead of radar for measuring distances.

¹ CCD/292, July 14, 1970.

Other military applications comprise the use of laser beams for surveillance and reconnaissance purposes. For instance in the line-scanning camera, and the development of laser devices for navigation systems for missiles and aircraft and possibly, in the future, for submarines and for detection of submarines.

Next we come to applications of lasers which, though not constituting a weapon as such, are very closely connected with the use of weapons, as a valuable aid to increase their effectiveness. This is the laser illuminator or designator; a laser beam is used to designate a target to be attacked by bombs, rockets, missiles or artillery. The designator can be operated by a forward air controller on the ground or from an aircraft. At the same time, a seeking device must be used in the attacking weapon in order to enable it to lock on the designated target and to home in on it. It appears that this method of laser designation and guidance for air bombardment has already been tested and used in prototype form and proven to increase attack accuracy. Significant increases in accuracy would provide economies in the operation of weapon systems. This development of laser technology, therefore, offers both military and financial advantages.

2. Direct use of lasers as weapons. In this instance the heat of a laser beam is used to destroy a target. It is now already possible to pierce and to cut objects by means of laser beams at a distance of several yards. For use as weapons it would be necessary to achieve such effects at much larger distances. A number of difficult technological problems are yet to be solved.

Among the future largely tactical applications for which laser weapons appear to be conceivable are:

- defence of naval vessels against low-flying cruise missiles;
- defence against low-flying targets at forward air bases;
- defence against tanks on the battlefield;
- defence against optically guided weapons like optical or infrared missiles, and countermeasures against a host of night vision, infrared and photograph surveillance devices.

An even more remote possibility might be the use of laser weapons for ballistic missile defence. The laser could offer some potential advantages over present A.B.M. systems. Because laser beams travel at the speed of light, the defence could have more time to detect, track, and intercept incoming missiles. Further, a laser A.B.M. weapon would not, itself, produce fall-out. On the other hand, the practical difficulties in developing this type of weapon are likely to be much greater than those of the close-range weapons discussed above. Generating and directing the large amounts of energy, aiming the laser beam, and transmitting it to the target are very difficult technical problems. Further, such a weapon system depends upon the transmission of optical energy and would, therefore, be severely limited for use on cloudy days or in the presence of precipitation.

It has also been speculated that lasers might conceivably be used as weapons of mass destruction in outer space. In addition to certain of the limitations described above, there are inherent characteristics of the laser, notably its narrow beam width and its short effective range, which would militate against its use as a weapon of mass destruction. In the unlikely event that such a weapon were developed, it should be noted that the Outer Space Treaty already prohibits stationing weapons of mass destruction in outer space.²

3. Lastly, a third category of potential military laser technology has recently been referred to in the press. This is the possible use of lasers, instead of fissionable materials, to set off thermonuclear weapons. For that purpose, a laser device which could produce an incredibly high temperature during an incredibly short time would be required. Moreover, such a device would have to be of such moderate dimensions that it could be included in a warhead or bomb. Again, a number of extremely difficult problems would appear to require solution before this type of weapon could be developed. In any event, were such a weapon to be developed, articles I and II of the N.P.T.³ would continue to apply to the thermonuclear weapons involved.

B. Arms control problems in connexion with the military application of laser technology

With respect to the first category, i.e. applications of laser technology for non-weapon military purposes, it would not seem fruitful to consider the possibility of restrictive measures. It is true that such applications as the laser designator can have an important impact on the conduct of military operations, but it is unlikely that agreement could be reached on a ban or restrictions on devices that are not weapons.

As to the second category, i.e. laser weapons, it would perhaps seem rather premature to consider the possibility of any arms control ban. This is because it is not clear at this stage, whether independent laser weapons systems are a practical and significant possibility.

With respect to the third category, the laser device for exploding a thermonuclear weapon, it has already been pointed out that a number of extremely difficult problems would appear to require solution before this type of weapon could be developed and that articles I and II of the N.P.T. would be applicable to such weapons if developed.

Accordingly, the highly speculative character of the conceivable military applications mentioned in the preceding paragraphs does not seem to substantiate the need for arms control consideration at this time. On the other hand, it seems appropriate to follow

² *Documents on Disarmament*, 1967, pp. 38-43.

³ *Ibid.*, 1968, pp. 461-465.

attentively further developments in the field of military applications of laser technology with a view to possible future arms control discussion.

Statement by the Soviet Representative (Roshchin) to the Conference of the Committee on Disarmament: Chemical and Bacteriological Weapons, July 14, 1970¹

First, allow me to associate my delegation with the welcome extended to Mr. Vratusa, Deputy Secretary of State for Foreign Affairs of Yugoslavia, who has resumed his participation in the work of our Committee. His presence here is an indication of his country's interest in the problems being examined by this Committee.

110. I should now like to turn to the question of chemical and bacteriological weapons, which is what we intend to touch upon in our statement today. The problem of the complete prohibition of chemical and bacteriological weapons has been discussed at several sessions of the Committee on Disarmament. As the Soviet delegation has pointed out in the previous discussion, our objective is to reach common ground among the members of the Committee on certain questions of principle: that chemical and bacteriological weapons must be prohibited completely and unconditionally, and that the starting-point for further measures to prohibit such weapons must be the 1925 Geneva Protocol.² That important objective should be the basis of further discussion of the problem.

111. However, the Committee has encountered some difficulties which are hampering our progress. Most of the controversy at present is over two points. The first is whether there should be provision for the simultaneous prohibition of the production and stockpiling of chemical and bacteriological weapons in a single agreement, or whether the production of bacteriological weapons alone may initially be prohibited, as urged, for example, by the delegations of the United States and the United Kingdom. Admittedly, the proponents of this approach do not deny the need for the prohibition of the production of chemical warfare agents, but they propose that it be postponed to some later stage by way of a separate agreement. The second controversial point involves the problem of supervising the observance of an agreement prohibiting the production of chemical and bacteriological warfare agents.

112. Regarding the first of those two points, the Soviet delegation and those of many other countries have adduced, notably at the Committee's last session, sufficient arguments in

¹ CCD/PV. 478, pp. 32-37.

² *Documents on Disarmament*, 1969, pp. 164-765.

favour of the joint prohibition of the production and stockpiling of chemical and bacteriological means of warfare, while pointing out the dangers of adopting any other approach. Judging from the statements made by representatives, the prevailing view in the Committee is that both types of weapons should be prohibited together.

113. The other approach advocated by some countries—to limit the prohibition, for the time being, to the production of bacteriological weapons and to deal with chemical weapons at some later stage—would in fact mean excluding from the prohibition for an unspecified time and preserving for possible use a dangerous type of weapons of mass destruction: chemical warfare agents. Is not the United States delegation's statement at the Committee last session that "chemical weapons have obvious usefulness in certain military situations . . ."³ symptomatic in this connexion?

114. The United States delegation's proposal of 30 June⁴ to broaden the scope of the United Kingdom draft convention⁵ by including the prohibition of toxins in no way changes the essence of the matter: in that version too, all kinds of chemical weapons, with the sole exception of toxins, are outside the prohibition. However, in practical terms, so far as chemical and bacteriological weapons are concerned, it is the chemical weapons which now represent the greatest threat to mankind and it is those weapons which should be prohibited as soon as possible.

115. The United States proposal simply underscores the illogical nature of the United States approach to chemical and bacteriological weapons. Up to now the United States delegation has stressed the need for keeping chemical and bacteriological weapons separate, alleging that they are basically different types of weapons which require a different approach in the matter of verification. The United States delegation, speaking on the verification of the prohibition of chemical and bacteriological weapons, stated on 21 April that "chemical weapons pose complex problems which will require more time and effort to resolve . . ."⁶ and that "it is fortunately the case with biological weapons, however, that the problem of verification does not present a serious barrier to progress".⁷

116. Now, however, the United States says that it is prepared to see the prohibition provided for in an agreement on biological weapons—that is to say, the United Kingdom draft convention—cover "also the lethal chemical substances known as toxins".⁸ But the United States will not go as far as prohibiting other chemical

³ *Ante*, p. 104.

⁴ *Ante*, pp. 272-273.

⁵ *Documents on Disarmament*, 1969, pp. 431 ff.

⁶ *Ante*, p. 171.

⁷ *Ante*, p. 173.

⁸ *Ante*, pp. 272-273.

weapons. In stating its readiness to include toxins in the prohibition, the United States recognizes that the same agreement can provide for the prohibition of biological warfare agents and one type of chemical warfare agent. The United States proposal on toxins confirms our conviction that the difficulties the Committee is now confronting are related to political and military considerations and not to the technical difficulties which are formally invoked as the main problem.

117. The other point which is giving rise to controversy and is in some measure impeding our progress is connected with the problem of verifying the implementation of the agreement on the prohibition of the production and stockpiling of chemical and bacteriological weapons. That question was thoroughly discussed at the spring session of the Committee and it is now possible to draw some conclusions from our discussion.

118. The position of the Soviet Union on supervision of the observance of the agreement prohibiting the development, production and stockpiling of chemical and bacteriological weapons was presented in detail at the last session of the Committee. We strongly uphold the conviction that where prohibition of the production of chemical and bacteriological weapons is concerned, the most rational method of control is supervision by national governments responsible vis-a-vis other States for ensuring that these warfare agents are not manufactured by enterprises in their countries. At the same time we believe that if, on certain occasions, the question of a violation of the convention on the prohibition of chemical and bacteriological weapons should arise at the international level, that problem could be brought to the Security Council, which would take appropriate action.

119. In connexion with the problem of control we should like to draw attention to the following aspect. At the last session of the Committee, as well as at the current session, there has been a very clear tendency to channel the consideration of the complete prohibition of chemical and bacteriological weapons into a discussion of technical details. At the same time, the need to take a political decision on the problem is in effect sidetracked. This can only add to the difficulty of the problem.

120. Here it seems appropriate to recall the experience of the League of Nations, which is very instructive in this respect. Avoiding political decisions on disarmament, the League plunged into the maze of the technical aspects of the problem. The result was that it was unable to make any progress in actually solving the problem. Thus, the policy whereby the discussion of disarmament questions was directed towards matters of technical expertise, which would cover up the unwillingness of the Powers then dominating the League to take political decisions on such questions, led to the complete failure of disarmament between the two World Wars. If we were to choose the same approach we might find ourselves in the same position. We were gratified to

note that the Swedish representative, Mrs. Myrdal, expressed the same thought this morning when she said:

Studies should never be undertaken if they would run the risk of becoming substitutes for actual measures; study groups should never be set up to delay action. Disarmament is largely a political problem. Negotiations must be understood as having built-in studies, although most of them are conducted on a national basis.⁹

121. Furthermore, it should be noted that even the League experts who studied these very problems of supervising the prohibition of the production of chemical and bacteriological weapons could not help recognizing that the most practical form of verification thinkable was control by national governments. A special committee of the League of Nations expressed its opinion in the form of a report to the League in 1932 that:

... such supervision by a national authority was not inconceivable, provided that the existing rational systems of supervision of certain chemical products for fiscal reasons could be made general. As for entrusting supervision to an international body, in the Committee's opinion 'the difficulties would be considerable'. It considered as doubtful the effectiveness of preventing all preparations for chemical warfare by means of international inspection, which in addition, 'would be a source of numerous disputes and suspicions' ...¹⁰

122. The Soviet delegation considers that our Committee should address itself primarily to solving the political problems connected with the prohibition of chemical and bacteriological means of warfare.

123. The Soviet delegation would also like to express its opinion on another question which has been raised in the Committee by a number of delegations. We have in mind the matter of the reservations made by some countries upon ratifying the Geneva Protocol of 1925 and the significance of those reservations for the conclusion of a convention on the prohibition of the development, production and stockpiling of chemical and bacteriological weapons and their destruction.

124. The gist of the reservations is as follows: the Protocol is binding for a country which made a reservation to the appropriate effect in relation only to participating States; and the Protocol ceases to be binding for such a country in relation to any State whose armed forces do not observe the limitations established by the Protocol. The existence of reservations to the Geneva Protocol is due, on the one hand, to the scope of its prohibition—i.e. to the fact that it prohibits only the use of chemical and bacteriological weapons during warfare and thus accepts the possibility of States keeping chemical and bacteriological warfare agents—and, on the other hand, to the fact that not all States, including militarily important States, are parties to the Geneva Protocol. In such

⁹ CCD/PV. 478, p. 13.

¹⁰ Ambassador Roshchin was quoting from a U.N. Secretariat paper summarizing two reports of the Special Committee on Chemical, Bacterial, and Incendiary Weapons (1932). For the U.N. paper, see Senate Foreign Relations Committee, Subcommittee on Disarmament, *Disarmament and Security: A Collection of Documents, 1919-55* (Com. print, 84th Cong., 2d sess.), p. 185. The Special Committee reports may be found in Conference for the Reduction and Limitation of Armaments, *Conference Documents*, vol. II, pp. 370-379, 448-472.

circumstances the desire of States to protect themselves from possible attack involving the use of chemical and bacteriological weapons is only natural.

125. It is pertinent to recall that the warning to the Government of Hitler Germany by the Allied Powers, which played its proper part in preventing the Second World War from becoming a war in which chemical and bacteriological agents were used, was based precisely on the reservations to the Geneva Protocol.

126. As to the significance of the reservations to the Geneva Protocol for the proposal made by the socialist countries to conclude a convention providing for the prohibition of the development, production and stockpiling of chemical and bacteriological weapons and also for the destruction of the stockpiles of such weapons,¹¹ we should bear in mind that, as may be seen from the very title of the draft convention, what is aimed at is the complete elimination of the possibility of using chemical and bacteriological warfare agents. The conclusion of such a convention with the participation of a large number of States would make the question of reservations to the Geneva Protocol completely pointless, for the simple reason that chemical and bacteriological weapons would be eliminated from military arsenals; they would be destroyed and would cease to exist. That understanding stems clearly from the draft convention proposed by the socialist States, and no additions or changes in the text are required.

127. The Committee on Disarmament has before it the task of finding a radical solution to the problem of the prohibition of these warfare agents once for all. The draft convention on the prohibition of the development, production and stockpiling of chemical and bacteriological weapons and their destruction proposed by nine socialist States provides the necessary basis for such a solution. The representative of Nigeria, Mr. Sule Kolo, noted this when he pointed out that this draft offers a suitable basis for negotiation.¹²

128. As is known, upon the proposal of the delegations of Poland, Hungary and Mongolia that draft has been supplemented by provisions which strengthen the guarantee of its fulfilment by the participants.¹³ That addition to the draft convention will make it easier to reach agreement on the complete prohibition of chemical and bacteriological weapons.

129. The problem of eliminating chemical and bacteriological agents from the military arsenals of States is attracting the attention of the whole world. The question is often mentioned during talks between the statesmen of various countries. In the joint Soviet-Pakistan communiqué published on 26 June of this

¹¹ *Documents on Disarmament, 1969*, pp. 455-457.

¹² CCD/PV.462, p. 36.

¹³ *Ante*, p. 140.

year at the conclusion of the visit to the Soviet Union of General Yahya Khan, the President of Pakistan, stress was laid on

... the need for reaching international agreement on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and on their destruction. . . .¹⁴

A few days before that a similar statement was made in the Soviet-Swedish communiqué published at the conclusion of the visit to the Soviet Union of the Prime Minister of Sweden, Mr. Olof Palme.¹⁵

130. The Committee on Disarmament bears a great responsibility for the solution of this problem. We must make every effort to achieve progress in that direction. This calls for a constructive approach by the members of the Committee and for readiness on their part to seek agreement on the prohibition of such dangerous types of weapons of mass destruction as chemical and bacteriological means of warfare.

Proposed Statement on United States Ratification of Additional Protocol II to the Treaty for the Prohibition of Nuclear Weapons in Latin America, July 16, 1970¹

I

The United States understands that the Treaty and its Protocols² have no effect upon the international status of territorial claims.

The United States takes note of the Preparatory Commission's interpretation of the Treaty, as set forth in the Final Act, that, governed by the principles and rules of international law, each of the Contracting Parties retains exclusive power and legal competence, unaffected by the terms of the Treaty, to grant or deny non-Contracting Parties transit and transport privileges.³

As regards the undertaking in Article 3 of Protocol II not to use or threaten to use nuclear weapons against the Contracting Parties,⁴ the United States would have to consider that an armed attack by a Contracting Party, in which it was assisted by a nuclear-weapon state, would be incompatible with the Contracting Party's corresponding obligations under Article 1 of the Treaty.

¹⁴ *Pravda*, June 26, 1970, pp. 1, 4; *Current Digest of the Soviet Press*, vol. 22, no. 26 (July 28, 1970) p. 29.

¹⁵ *Pravda*, June 20, 1970, pp. 1, 4; *Current Digest of the Soviet Press*, vol. 22, no. 25 (July 21, 1970), p. 22.

¹ S. Ex. H., 91st Cong., 2d sess. The statement was transmitted by the Secretary of State to the President on July 16 (*infra*). Except for the additional language on the non-proliferation treaty in the penultimate par., it is identical with the U.S. statement of Apr. 1, 1968 (*Documents on Disarmament, 1968*, pp. 204-205).

² *Ibid.*, 1967, pp. 69 ff.

³ See COPREDAL/76, pp. 10-11.

⁴ *Documents on Disarmament, 1967*, p. 83.

II

The United States wishes to point out again the fact that the technology of making nuclear explosive devices for peaceful purposes is indistinguishable from the technology of making nuclear weapons and the fact that nuclear weapons and nuclear explosive devices for peaceful purposes are both capable of releasing nuclear energy in an uncontrolled manner and have the common group of characteristics of large amounts of energy generated instantaneously from a compact source. Therefore we understand the definition contained in Article 5 of the Treaty as necessarily encompassing all nuclear explosive devices. It is our understanding that Articles 1 and 5 restrict accordingly the activities of the Contracting Parties under paragraph 1 of Article 18. The United States further notes that paragraph 4 of Article 18 of the Treaty permits, and that United States adherence to Protocol II will not prevent, collaboration by the United States with Contracting Parties for the purpose of carrying out explosions of nuclear devices for peaceful purposes in a manner consistent with our policy of not contributing to the proliferation of nuclear weapons capabilities. In this connection, the United States calls attention to Article V of the Nuclear Non-Proliferation Treaty,⁵ under which it joined in an undertaking to take appropriate measures to ensure that potential benefits of peaceful applications of nuclear explosions would be made available to non-nuclear-weapon states party to that treaty, and reaffirms its willingness to extend such undertaking, on the same basis, to states precluded by the present treaty from manufacturing or acquiring any nuclear explosive device.

III

The United States also wishes to state that, although not required by Protocol II, it will act with respect to such territories of Protocol I⁶ adherents as are within the geographical area defined in paragraph 2 of Article 4 of the Treaty in the same manner as Protocol II requires it to act with respect to the territories of Contracting Parties.

**Report by Secretary of State Rogers to President Nixon:
Additional Protocol II to the Treaty for the Prohibition of
Nuclear Weapons in Latin America, July 16, 1970¹**

DEPARTMENT OF STATE,
Washington, July 16, 1970

THE PRESIDENT, THE WHITE HOUSE.

The President. I have the honor to submit to you, with the recommendation that it be transmitted to the Senate for its advice

⁵ *Ibid.*, 1968, pp. 461-465.

⁶ *Ibid.*, 1967, p. 82.

¹ S. Ex. H, 91st Cong., 2d sess.

and consent to ratification, Additional Protocol II, signed on April 1, 1968² on behalf of the United States of America, to the Treaty for the Prohibition of Nuclear Weapons in Latin America.³ The Treaty itself is not open for signature to states that are located outside Latin America, and such states are not eligible for membership in, or bound by the decisions of, the regional organization established to implement the Treaty.

Additional Protocol II to the Treaty is specifically designed for adherence by nuclear-weapon states that are willing to undertake to respect the express aims and provisions of the Treaty, not to contribute to its violation in the territories to which it applies, and not to use or threaten to use nuclear weapons against the states parties to the Treaty. The United Kingdom has signed and ratified the Protocol. The obligations which states assume upon ratification of the Protocol derive from both the provisions of the Protocol and the provisions of the Treaty itself.

The Treaty for the Prohibition of Nuclear Weapons in Latin America is the culmination of a regional effort to keep Latin America free of nuclear weapons. A Joint Declaration on the subject was issued by Bolivia, Brazil, Chile, Ecuador, and Mexico on April 29, 1963.⁴ This effort was welcomed and encouraged by a resolution adopted by the United Nations General Assembly on November 27, 1963.⁵ After several years of international negotiations, including consideration of comments by the United States, the Treaty was opened for signature on February 14, 1967. The United States has expressed its support for the Treaty not only by signing Additional Protocol II, but also in public statements made by President Johnson and Vice President Humphrey, by our representatives in the Eighteen Nation Disarmament Committee and the United Nations General Assembly, and by United States votes for resolutions of the General Assembly in 1967 and 1968 commending the Treaty and calling upon those eligible to sign and ratify Protocol II to do so.⁶

The Treaty has been signed by all Latin American states except Cuba (whose present government has indicated that it does not intend to sign) and Guyana (whose eligibility to sign is in dispute). It is currently in force for 16 of these states, and a new regional organization has been established to implement it.

The basic undertakings of the Contracting Parties (defined in Article 2 as the states for which the Treaty is in force) are set forth in Article 1. They are (a) to use exclusively for peaceful purposes the nuclear material and facilities which are under their jurisdiction; (b) to prohibit and prevent in their respective territories the testing, use, manufacture, production or acquisition by any means whatsoever of any nuclear weapons; (c) to prohibit and prevent in their respective territories the receipt, storage,

² *Documents on Disarmament*, 1967, p. 83.

³ *Ibid.*, pp. 69 ff.

⁴ *Ibid.*, 1963, pp. 182-183.

⁵ *Ibid.*, pp. 628-629.

⁶ *Ibid.*, 1967, pp. 620-621; *ibid.*, 1968, p. 799.

installation, deployment and any form of possession of nuclear weapons by the Contracting Parties themselves, by anyone on their behalf, or in any other way; and (d) to refrain from engaging in, encouraging or authorizing directly or indirectly, or in any way participating in the testing, use, manufacture, production, possession or control of any nuclear weapon.

The negotiating history of the Treaty makes it clear that these prohibitions do not affect transit and transport privileges of non-Contracting Parties. This fact is reflected in the statement which accompanied United States signature of Protocol II and which, it is proposed, should accompany our ratification thereof. In that statement the United States "takes note of the Preparatory Commission's interpretation of the Treaty, as set forth in the Final Act, that, governed by the principles and rules of international law, each of the Contracting Parties retains exclusive power and legal competence, unaffected by the terms of the Treaty, to grant or deny non-Contracting Parties transit and transport privileges."⁷

The United States statement makes clear also that, as regards the undertaking in Article 3 of Protocol II not to use or threaten to use nuclear weapons against the Treaty parties, this country would have to consider that an armed attack by a Contracting Party to the Treaty, in which it was assisted by a nuclear-weapon state, would be incompatible with that Party's corresponding obligations under Article 1 of the Treaty.

Article 3 of the Treaty defines "territory" to include the territorial sea, air space and any other space over which the state exercises sovereignty in accordance with its own legislation. The statement of the United States makes clear our understanding that the Treaty and its protocols have no effect upon the international status of territorial claims.

Article 4 of the Treaty defines the zone of application of the Treaty as "the whole of the territories for which the Treaty is in force". The article also makes provision for a broader zone of application within the Western Hemisphere, including international waters, upon the fulfillment of *all* of a number of conditions, one of which is United States ratification of Protocol I to the Treaty. Protocol I calls upon states to apply the status of denuclearization in territories for which they are internationally responsible within the Treaty zone. The United States has not signed Protocol I, and the United Kingdom is the only nuclear-weapon state that has to date become a party to this Protocol.

Article 5 of the Treaty defines nuclear weapons. It excludes an instrument that may be used for the transport or propulsion of a nuclear explosive device if it is separable from the device itself and not an indivisible part thereof. But it includes any device which is capable of releasing nuclear energy in an uncontrolled manner and which has a group of characteristics that are appropriate for use

⁷ *Ibid.*, pp. 204-205; *supra*.

for warlike purposes. This definition is particularly significant in connection with Article 18 of the Treaty, which deals with peaceful uses of nuclear explosions. Paragraph 1 of that article provides that the Contracting Parties may carry out explosions of nuclear devices for peaceful purposes, or collaborate with third parties for the same purpose, *provided* they do so in accordance with the provisions of Article 18 and the other articles of the Treaty, particularly Articles 1 and 5. Paragraph 4 of Article 18 specifically permits the Contracting Parties to accept the collaboration of third parties for such purposes.

The statement which accompanied signature by the United States of Additional Protocol II, made the following comments on the definition of "nuclear weapon" in Article 5:

"The United States wishes to point out again the fact that the technology of making nuclear explosive devices for peaceful purposes is indistinguishable from the technology of making nuclear weapons and the fact that nuclear weapons and nuclear explosive devices for peaceful purposes are both capable of releasing nuclear energy in an uncontrolled manner and have the common group of characteristics of large amounts of energy generated instantaneously from a compact source. Therefore we understand the definition contained in Article 5 of the Treaty as necessarily encompassing all nuclear explosive devices. It is our understanding that Articles 1 and 5 restrict accordingly the activities of the Contracting Parties under paragraph 1 of Article 18.

"The United States further notes that paragraph 4 of Article 18 of the treaty permits, and that United States adherence to Protocol II will not prevent, collaboration by the United States with Contracting Parties for the purpose of carrying out explosions of nuclear devices for peaceful purposes in a manner consistent with our policy of not contributing to the proliferation of nuclear weapons capabilities. In this connection, the United States reaffirms its willingness to make available nuclear explosion services for peaceful purposes on a nondiscriminatory basis under appropriate international arrangements and to join other nuclear weapon States in a commitment to do so."

Subsequent to the making of this statement, the United States in fact joined in such a commitment in the Nuclear Non-Proliferation Treaty, which entered into force on March 5, 1970.⁸ Accordingly, it is proposed that when used in connection with our ratification of Additional Protocol II the last sentence of this statement be updated to read as follows:

"In this connection, the United States calls attention to Article V of the Nuclear Non-Proliferation Treaty, under which it joined

⁸ *Documents on Disarmament*, 1968, pp. 461-465.

in an undertaking to take appropriate measures to ensure that potential benefits of peaceful applications of nuclear explosions would be made available to non-nuclear-weapon states party to that treaty, and reaffirms its willingness to extend such undertaking, on the same basis, to states precluded by the present treaty from manufacturing or acquiring any nuclear explosive devices.”⁹

Neither the Treaty nor our adherence to Additional Protocol II would present any bar to the use by the United States of nuclear explosions for excavation of a new Atlantic-Pacific interoceanic canal with the consent of the party in whose territory such excavation took place, although it would have to be consistent with other treaty obligations, including the Limited Test Ban Treaty. But the Treaty for the Prohibition of Nuclear Weapons in Latin America would require certain procedures to be followed in connection with such a project. These include (a) advance notification to the International Atomic Energy Agency, containing the information specified in paragraph 2 of Article 18, and (b) observation as provided in paragraph 3 of that article, by representatives of the International Atomic Energy Agency and of the new regional organization established to implement the Treaty.

Articles 6-11 of the Treaty are not of direct interest to the United States, since they relate to meetings of the signatories and the organization and procedures of the regional “Agency for the Prohibition of Nuclear Weapons in Latin America” (the Spanish acronym for which is OPANAL). The first meeting of this organization was held in Mexico City September 2-9, 1969, and was attended by a United States observer. Article 7 of the Treaty provides that “Only the Contracting Parties shall be affected by its decisions.”

Articles 12-16 of the Treaty establish a control system for the purpose of verifying compliance with the obligations entered into by the Contracting Parties in accordance with Article 1. Article 13 requires the Contracting Parties to enter into agreements with the International Atomic Energy Agency for the application of its safeguards to their nuclear activities.

I enclose a copy of the Treaty and Additional Protocol I, which I suggest be transmitted to the Senate for its information in connection with consideration of Protocol II. Also enclosed is a copy of the statement which I propose be made an integral part of United States ratification of Protocol II.

I believe that ratification of Additional Protocol II to the Latin American Nuclear Free Zone Treaty would complement our other efforts to prevent the proliferation of nuclear weapons.

Respectfully submitted.

WILLIAM P. ROGERS

⁹ *Supra*.

United States Working Paper Submitted to the Conference of the Committee on Disarmament: Nerve Agent and Civilian Chemical Production Facilities, July 16, 1970¹

1. A working paper submitted by the United States delegation on March 16, 1970 described the complex relationship between the production of chemicals for peaceful purposes by commercial chemical industries and the production of chemical agents for war.² Another question related to a comprehensive ban on chemical weapons and also requiring further study is the extent of the external similarity between plants producing chemical weapons and plants producing industrial and commercial chemical products. In this paper the question is examined with respect to the production of nerve agents.

2. The chemical processing industry encompasses the conversion of various chemical raw materials into usable products of all descriptions. Chemical process plants through-out the world range in production rate from a few hundred pounds to several million pounds of finished product a year, and in area from a few thousand square feet to several thousand acres. The production of chemical nerve agents involves a chemical process in which the production facilities and equipment utilized are similar to the equipment and processes used by a major segment of the world chemical industry. With the advent of highly complex, inter-related chemical complexes, it is also possible that a wide variety of chemical products, including nerve agents, could be produced within a single chemical complex.

3. The US has undertaken as a part of its research programme to examine whether it would be possible by "off-site observation," either from the air or from the ground, to determine whether a particular chemical processing facility or complex was producing, or was capable of producing, lethal nerve agents. Three United States chemical processing plants that are similar in size and general appearance were examined by external inspection. The first of these plants is a cryogenic (low-temperature) natural-gas processing plant; the second is a high-energy fuel facility; and the third (the Newport Chemical Plant), is a VX nerve-agent production facility. The three plants were examined on the basis of general external appearance, e.g. raw-material input, storage facilities, consumption of utilities, and waste disposal, and more specifically on the basis of process equipment and safety features.

4. *Raw Material Input*—With respect to rail and truck deliveries, it was concluded that aerial observation cannot determine what materials are being supplied to the facility. Moreover, since many of the same basic raw materials used in producing nerve agents, e.g., elemental phosphorus, chlorine, and various petrochemicals,

¹ CCD/293, July 16, 1970.

² *Ante*, pp. 91-93.

are widely used in commercial production, the identification of some deliveries, even if possible, would not in itself indicate that nerve agents, rather than plasticizers or pesticides, were being produced in the plant. In fact, observation of the containers used in shipping might not even indicate in a general way which of hundreds of chemicals or gases were being transported to the plant. (See paragraph 5 below).

5. *Storage Facilities*—The raw materials and the intermediate and end products commonly stored in the chemical process industry can be in solid, liquid, or gaseous forms. In all three forms materials can be stored in bulk or in unit containers, outdoors or under shelter. Unit containers are indistinguishable from facility to facility. Solid bulk materials are stored both outdoors and indoors in piles or in bins or bunkers. The bulk storage of all types of liquid materials is, of course, generally carried out in some form of tank, vertical, horizontal, rectangular, or spherical in shape. Tanks are constructed of metal, wood or concrete, and their storage capacity can range from 200 to 1 million gallons. Liquid materials can also be stored in barrels, kegs, drums, cans or glass containers, generally holding less than 75 gallons. Gases stored in bulk are also usually contained in tanks. The most common types of readily observable containers are the large spherical, cylindrical or horizontal tanks which are used throughout the chemical industry to hold hundreds of different chemicals and gases. These same kinds of containers are also used in nerve agent production.

6. *Utilities*—The utilities requirements for nerve-agent production are not greatly different from those of regular chemical operations. Electrical power may be required in greater than normal amounts but not to a degree which is unique. This requirement and the more normal water requirement could affect the location of a plant. The availability of large amounts of these utilities to a plant would not, however, be a particular indicator of nerve-agent production since location of industrial chemical facilities near ample electrical and water supplies is common practice.

7. *Wastes*—The nontoxic wastes of a nerve-agent plant would be similar to those produced by some industrial chemical plants. On the other hand, the chemical waste from the final unit processes for nerve-agent production requires neutralization and detoxification before it enters the final waste disposal system. Analysis of disposed materials might provide some indication of nerve-agent production, but this could not be done by off-site observation; rather on-site sampling with extremely sensitive instruments would be required. Disposal of toxic wastes is not, of course, a problem peculiar to nerve-agent manufacture.

8. *Process Equipment*—There are many basic types of chemical processing equipment used for the production of both nerve agents and industrial chemicals, and these basic types can often be

converted from the manufacture of one chemical to another, with varying degrees of ease. While this equipment can often be readily observed from outside the plant, very little can be determined about its function or rate of operation.

a. *Distillation equipment*—Distillation is one of the fundamental processes used to separate a specific chemical or group of chemicals from a mixture. Separation is accomplished in what are generally referred to as distillation columns. These are vertical, cylindrical vessels whose height is usually much greater than their diameter. They range in size from less than 1 foot in diameter and 10 feet in height to more than 15 feet in diameter and 300 feet in height. It is not possible to identify by outside observation the processes taking place within the column. In many chemical plants, distillation columns, like other pieces of equipment, are frequently used in processes other than the one for which they were originally designed.

b. *Furnaces*—Furnaces are one of the principal components of chemical processing facilities. These industrial furnaces are found in a great variety of sizes and designs, and there is no particular type which would be characteristic of nerve-agent plants.

c. *Reactors*—A reactor is the processing vessel in which chemical reactions take place. Reactors of all shapes, sizes and configurations are used in the chemical industry, depending upon the specific process in which they are to be used. Some reactors differ only slightly from small storage tanks and small heat exchangers. Reactors can differ substantially in size and shape even though they are designed for similar processes. Again, there is no shape or other characteristic which is unique to nerve-agent production.

d. *Scrubbers*—There is a rather large variety of equipment generally referred to as scrubbers for the separation of solids, liquids, or specific gases from air or from a gas stream by using water to scrub out the unwanted materials. These scrubbers are vertical, cylindrical vessels with a relatively large height-to-diameter ratio. The size of the scrubber depends on the amount of air that must be treated. External observation does not reveal the materials that are being treated within the scrubber, and almost any size or shape might be used in a nerve-agent plant.

e. *Flare Stacks*—These are tall thin towers, up to several hundred of feet high, containing at their centres pipes which carry waste gases to the top where they are burned in the atmosphere. Although flare stacks are highly visible, their appearance would provide no means of distinguishing one plant from another.

9. *Safety*—Because of the highly lethal nature of the agents being produced, a nerve-agent plant requires special safety measures. In particular, the containment of toxic chemicals requires rigid control of plant air. Air coming out of the toxic process area would need to be scrubbed to remove any toxic materials, and precautions would need to be taken to prevent any air from flowing out of the toxic process area into the non-toxic

operating areas. Access between the toxic and non-toxic areas would require special controls such as airlocks. Personnel entering the toxic process area would have to wear masks and protective clothing. Such features, however, would not be observable from outside the plant, since they all pertain to operations within closed structures.

10. *Summary*—Our research indicates that the problem of identification of nerve-agent production facilities cannot be solved by off-site observation. Chemical process facilities are to be found in numerous locations throughout the world which contain many of the same raw materials, processes, operations, equipment, and support installations as those required to produce nerve agents.

**Statement by the United States Representative (Leonard) to the
Conference of the Committee on Disarmament: Verification of
Agreement on Chemical Weapons, July 16, 1970¹**

I declare open the 479th plenary meeting of the Conference of the Committee on Disarmament.

2. As representative of the United States, I should like to make the following statement.

3. A subject of continuing interest to the United States and to this Committee is that of adequate verification for any eventual arms-control agreement which may be negotiated banning the production, use and stockpiling of chemical weapons. This has been the subject of several presentations and working papers by the United States delegation and by other delegations around this table. Verification of chemical-weapons prohibitions was also the subject of intense discussion at our informal meeting on 22 April, at which a number of experts in the field were present.

4. The interest of the United States Government in this question is not new. For a number of years the United States Arms Control and Disarmament Agency has sponsored research regarding verification at the various technical stages in the production cycle of chemical-weapons systems. Some of the research has been conducted internally within the United States Government; much of it has been done on contract by private research organizations. One such private research organization, the Midwest Research Institute, or MRI, which is a large firm of engineering and economic consultants serving a broad spectrum of the United States industrial corporations, has recently completed a study comparing the characteristics which can be discerned through external observation of plants producing chemical nerve agents, on the one hand, and plants producing industrial and commercial products, on the other.

¹ CCD/PV.479, pp. 5-7.

5. The relevance of this particular aspect of the problem of chemical-weapons verification is very clear. Any serious discussion of verification problems must, at an early stage, deal with what can or cannot be achieved by one of the simplest verification techniques of all: namely visual observation. Without such a discussion our treatment of this subject would surely be incomplete. Today, therefore, the United States delegation would like to share with members of the Committee the results of the investigation by the Midwest Research Institute, in order to contribute to our continuing examination of the inherently difficult obstacles in verifying an agreement that would prohibit production of chemical weapons.

6. We are, first of all, circulating a working paper which summarizes in non-technical terms the research in question and its conclusions.² Next, we are providing each delegation with copies of the text of the MRI report dated 20 May 1970, entitled "Chemical Production Facilities". This report contains a narrative, fifteen-page discussion of the entire research project, including diagrams of production facilities. Lastly, we are circulating copies of the appendix to the MRI report, which contains a compendium of nineteen photographs, some with overlays, of chemical-production equipment and plant sites which are relevant to the discussion in the text of the report itself. Members will note that included in the appendix are aerial photographs of the three plants, including the nerve-agent production facility, which were the subject of the research project.

7. Drawing from the material contained in the research report, I should note that the chemical-processing industry encompasses the conversion of various chemical raw materials into a variety of usable chemical products. Chemical-processing plants throughout the world range in production rate from a few hundred to several million pounds of finished products a year. They vary in area from a few thousand square feet to several thousand acres. The production of chemical nerve agents involves a chemical process in which the production facilities and equipment utilized are similar to the equipment and processes used by a major segment of the world chemical industry. With the advent of highly complex, interrelated chemical-production facilities it is also possible that a wide variety of chemical products, including nerve agents, could be produced within a single extensive chemical complex.

8. In this particular project the Midwest Research Institute undertook to ascertain whether, through what might be called off-site observation, either from the air or from the ground, it would be possible to determine whether a particular chemical-processing facility or complex was producing, or was capable of producing, lethal nerve agents. Three United States chemical-processing plants that are similar in size and general appearance were

² *Supra.*

examined by external inspection. The first of these plants is a low-temperature natural-gas processing plant which produces such fuels as propane and butane from raw natural gas. The second plant is a facility for the production of a high-energy liquid fuel. And the third is a plant for production of VX nerve agent, one of the most modern war chemicals known. The three plants were examined on the basis of external appearance—that is, their raw-material input, storage facilities, consumption of utilities and waste disposal—and, more specifically, on the basis of process equipment and safety features. As will be seen from the MRI report we are circulating today, each of those aspects of the production process of the three plants was examined and carefully compared.

9. The United States wishes to contribute in every way possible to the Committee's continuing efforts in the examination of verification problems related to a chemical-weapons ban. It is in that spirit that I submit the above-mentioned working and research materials to the Committee today; and in the same spirit I ask members to give them their careful and considered attention.

Statement by the British Representative (Porter) to the Conference of the Committee on Disarmament: Chemical and Biological Warfare, July 16, 1970¹

First I should like on behalf of the United Kingdom delegation to extend a warm welcome to the distinguished representatives who are leading their delegations for the first time—Ambassador Petrov of Bulgaria and Ambassador Tanaka of Japan.

11. This morning I shall say a few words about chemical and biological warfare, and in particular comment on two lots of amendments proposed to our draft convention²—those submitted by your delegation, Mr. Chairman, on 30 June³ and those suggested by the Netherlands delegation on 17 March.⁴

12. I shall turn first to the United States proposals. As the Committee is aware, we consider that the prohibitions of our convention would in effect extend to the production of toxins as weapons of war; since these, as the Secretary-General's report points out, are "biologically produced chemical substances".⁵ But we have also made it clear that we would consider favourably any amendment which brought toxins more precisely within the scope of our draft convention. On 22 April the Swedish representative, Mrs. Myrdal, first raised the question whether the convention might be extended to cover these dangerous substances,⁶ and on

¹ CCD/PV.479, pp. 7-10.

² *Documents on Disarmament*, 1969, pp. 431 ff.

³ *Ante*, pp. 272-273.

⁴ *Ante*, pp. 97-99.

⁵ *Documents on Disarmament*, 1969, p. 278.

⁶ Mrs. Myrdal's statement was made at an informal CCD meeting and was not incorporated in the official CCD records.

28 April you, Mr. Chairman, in your capacity as representative of the United States, suggested specific language to effect that.⁷ In his speech on 30 June Mr. Caracciolo also endorsed the proposal,⁸ and on the same day you, sir, submitted a drafting amendment. You proposed that article I of the draft be amended to read as follows:

Each of the Parties to the Convention undertakes, in so far as it may not already be committed in that respect under Treaties or other instruments in force prohibiting the use of chemical and biological methods of warfare, never, in any circumstances, by making use for hostile purposes of microbial or other biological agents *or toxins* causing death, damage or disease to man, other animals, or crops, to engage in biological methods of warfare.

13. You also proposed that a similar change be made in article II (a) (i) by inserting the words "or toxins" after the phrase "microbial or other biological agents", so as to include toxins expressly in the convention's prohibitions and requirements concerning production, acquisition, research and destruction. You further proposed the deletion of the phrase "by infection or infestation".⁹ That would be a logical consequence of the inclusion of toxins, which of course do not "infest".

14. That seems to us to do what is required; though some further editorial changes may prove necessary. Mr. Roshchin, the representative of the USSR, in his speech on 14 July seemed surprised by what he called the readiness of the United States to bring toxins, but not other chemical weapons, within the scope of the United Kingdom draft convention.¹⁰ As the authors of that draft, perhaps the United Kingdom delegation could make it clear that by our acceptance of the amendment proposed it is not our intention to include in the convention a particular chemical substance as such, but rather to recognize explicitly what is already implicit in the convention as at present drafted: that an agreement which prohibits the production of biological means of warfare would prevent the production of chemical agents of biological origin.

15. Lord Chalfont on 30 April drew attention to some of the properties of toxins as they have been described in the reports of the Secretary-General of the United Nations and the Director-General of the World Health Organization on chemical and biological weapons and the effects of their possible use.¹¹ Their high toxicity, together with the relative ease with which they can be manufactured, could make them very dangerous weapons indeed if they were ever allowed to reach the stage of widespread development and deployment.

⁷ *Ante*, pp. 189-190.

⁸ *Ante*, p. 275.

⁹ *Ante*, pp. 276-277.

¹⁰ *Ante*, pp. 313-314.

¹¹ Lord Chalfont's remarks appear *ante*, pp. 191-193. The Secretary-General's report may be found in *Documents on Disarmament*, 1969, pp. 256-298. For the WHO report, see *Health Aspects of Chemical and Biological Weapons: Report of a WHO Group of Consultants* (Geneva, 1970).

16. May I turn now to the amendments proposed during the last session by my Netherlands colleague, Mr. Eschauzier? On 17 March he suggested the following changes in our text. He tentatively proposed a re-draft of article I to read:

Each of the Parties to the Convention undertakes never in any circumstances to make use for hostile purposes of living organisms, whatever their nature, or infective material derived from them, which are intended to cause disease or death in man, animals or plants, and which depend for their effects on their ability to multiply in the person, animal or plant attacked.

It will be clear to the Committee that the inclusion of toxins in article I makes it impossible for us to adopt the revised wording of the article proposed by Mr. Eschauzier.

17. Mr. Eschauzier also suggested new wording for article II (a) (i), which at present prohibits "microbial or other biological agents of types and in quantities that have no independent justification for prophylactic or other peaceful purposes;". He proposed that the word "independent" should be deleted and "protective purposes" substituted for "other peaceful purposes"¹². We feel that the substitution of "protective purposes" for "other peaceful purposes" would place too restrictive an interpretation on the legitimate peaceful uses which would be exempt from the prohibitions of our draft. We agree, however, that the word "independent" in this section seems to be unnecessary and could lead to confusion; and we propose therefore in line with his suggestion to delete that word.

18. With that excision and the addition of the words "or toxins", article II(a)(i) would now read: "microbial or other biological agents or toxins of types and in quantities that have no justification for prophylactic or other peaceful purposes".

19. We remain, of course, open to further suggestions. Our draft convention as it stands deals comprehensively, in its definition, scope and provisions, with a self-contained category of weapons and agents, and for that reason represents an adequate basis for agreement on biological methods of warfare. We see no logical reason why our search for an agreement on chemical weapons should hold up the conclusion of a complete and effective agreement on biological warfare, including toxins, which is within our grasp now.

20. May I take this opportunity to support the tribute which Mr. Roshchin and other speakers have recently paid to the Geneva Protocol,¹³ whose forty-fifth anniversary fell on 17 June? My Government is convinced that the Geneva Protocol is and will remain the foundation on which all our efforts in this field must be based. We therefore welcome the ratification of the Geneva Protocol by the Japanese Government, announced by the Japanese representative on 18 June,¹⁴ and also the announcement by the Foreign Minister of Brazil on 9 July, that his Government intends

¹² See *ante*, p. 98.

¹³ *Documents on Disarmament*, 1969, pp. 764-765.

¹⁴ *Ante*, p. 240.

to deposit an instrument of ratification shortly.¹⁵ We ourselves shall continue to work for the strengthening of the Protocol in two ways—by urging countries which have not yet done so to ratify or accede to it, and by working for the reinforcement of its provisions.

21. We remain convinced that our draft convention on biological warfare, far from weakening the Protocol as some have suggested, would considerably strengthen its effect. The 1925 Protocol covers the use in war of chemical and biological weapons; and a number of signatories, including the United Kingdom, in their reservations to it retained the right to retaliate with these weapons against violators or non-parties. None of us, I am sure, would contend that these reservations strengthen the Protocol—rather the contrary, because they effectively permit the stockpiling of these weapons. That is why our convention is drafted in such a way as to prohibit the production, possession and stockpiling not only of the weapon itself but also of the component parts of the weapon, which I believe can be assembled without much difficulty. It would thus in effect make impossible the retention of any retaliatory capability in any form so far as biological warfare is concerned. I confess that I cannot see how, by strengthening the provisions of the Geneva Protocol in respect of biological weapons including toxins, we can be held to weaken the total effect of the Protocol.

Mexican Working Paper Submitted to the Conference of the Committee on Disarmament: Draft Sea-Bed Treaty, July 21, 1970¹

A second paragraph should be added to article VIII of the draft treaty, to read as follows:

2. The States Parties to this treaty undertake not to contribute in any way to the commission in the zone referred to in article I, of acts involving a violation of such obligations.

COMMENTS

The reasons which necessitate the addition of this paragraph, as proposed by Mexico on 1 December 1969 in the working paper submitted to the General Assembly and circulated as document A/C.1/995, may be summarized as follows:

1. It is self-evident that any treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the seabed and the ocean floor and in the subsoil thereof that may be concluded should not adversely affect the progress it has been possible to achieve through other international instruments in force.

¹⁵ CCD/PV. 477, pp. 8-9.

¹ CCD/294, July 21, 1970. The draft treaty appears *ante*, pp. 185-188.

2. The Treaty for the Prohibition of Nuclear Weapons in Latin America or Treaty of Tlatelolco, which is at present in force for sixteen States, has created the first zone including densely populated territories to be free from nuclear weapons.² The zone covers at present an area of approximately six million kilometres and has a population of about 100 million inhabitants.

3. The regime established in article I of the Treaty of Tlatelolco is one of total absence of nuclear weapons, a concept of the greatest clarity which entails for the States Parties, *inter alia*, the following double prohibition:

(a) They may not emplant or emplace nuclear weapons in their respective territories, whether acting on their own behalf or through others, and

(b) They may not allow other States to emplant or emplace nuclear arms in those territories.

For the purposes of those prohibitions the term "territory" includes, *inter alia*, the territorial sea, and the bed and subsoil thereof.

4. On the other hand, article I of the draft treaty submitted to the Disarmament Committee by the delegations of the United States and the Soviet Union, which is contained in document CCD/269/Rev. 2, undoubtedly implies a double right:

(a) The right of any coastal State, whether acting on its own behalf or through others, to emplant or emplace nuclear weapons on the seabed and ocean floor and the subsoil thereof within a belt of sea twelve miles in breadth adjacent to its coasts, and

(b) The right of the nuclear Powers to emplant or emplace nuclear weapons in that zone with the consent of the coastal State concerned.

5. It is obvious from a comparison of the provisions referred to in the two preceding paragraphs that if it is not to vitiate the progress achieved so far in respect of the zones free from nuclear weapons, the new treaty must include an article containing two paragraphs like those proposed in the Mexican working paper A/C.1/995 mentioned above, which read as follows:

1. The provisions of this Treaty shall in no way affect the obligations assumed by States Parties to it under international instruments establishing zones free from nuclear weapons.

2. The States Parties to this Treaty undertake not to contribute in any way to the commission, in the zone referred to in article I, of acts involving a violation of such obligations.

6. The purpose of the first of these two paragraphs—which, as is known, has already been incorporated as article VIII in the revised text of the draft treaty—is to prevent the right referred to in paragraph 4 (a) of this document from being interpreted as invalidating the prohibition referred to in paragraph 3 (a).

² Documents on Disarmament, 1967, pp. 69 ff.

7. For the same reason, the inclusion of the proposed second paragraph—which should be paragraph 2 of article VIII—is imperative, since this is the only way of ruling out the interpretation that the right referred to in paragraph 4 (b) tacitly modifies the prohibition referred to in paragraph 3 (b).

8. The Mexican proposal has no purpose other than the one stated at the beginning: to prevent the new treaty from adversely affecting certain essential agreements already reached in the field of zones free from nuclear weapons.

9. The paragraph 2 which Mexico is proposing for additions to article VIII of the revised draft treaty has this as its sole and exclusive object. The obligation assumed under it would be a passive obligation, an obligation not to do something, consisting merely in agreeing not to contribute to non-fulfilment or violation of any international agreements on nuclear disarmament to which certain States are parties or may be parties in the future.

10. The basis of this provision is to be found in the principles of international law and the United Nations Charter, particularly with regard to respect for the sovereign equality of States.

Statement by the Swedish Representative (Myrdal) to the Conference of the Committee on Disarmament: Chemical and Biological Weapons, July 21, 1970¹

Time marches on. I feel the urge to take up today for closer consideration the subject of chemical and biological means of warfare, to which some, but not sufficient, attention has so far been given in this session. But allow me at the outset to voice some general concern about our work schedule.

3. Within the next month we must complete action on at least four important items in order to report to the United Nations General Assembly in accordance with the mandates given to us. That constitutes a formidable workload. In the first instance we must obviously arrive at formulating a comprehensive programme of disarmament. Next, we hope to be able to arrive at a final and preferably unanimously-agreed draft sea-bed treaty. That presupposes that all amendments to the present text² must be in within this or next week; although I take it that most of them have been presented more or less textually in the statements by delegations; and some of those amendments have received very broad support. Further, we have the task of submitting a special report on the comprehensive test ban.³ If that is not done, or if the report is without substance, that will constitute a particularly glaring failure on the part of our Committee. And we must carry

¹ CCD/PV. 480, pp. 5-10.

² *Ante*, pp. 185-188.

³ See *Documents on Disarmament*, 1969, p. 722.

forward our work on the banning of the production, testing and stockpiling of chemical and biological weapons, at least far enough to be able to make it manifest that we have mastered the general shape of such a prohibitive measure.

4. Already in my statement on 9 April I touched upon some elements which my delegation considers should be included in such a treaty.⁴ In the meantime we have given further thought to the subject; and I should like today to share with my colleagues some more specific suggestions. We have taken as a basis for our considerations the draft convention put forward by nine delegations in New York last year⁵ as amended here in April.⁶ The main reason for this is that it covers both chemical and biological means of warfare. That does not mean, however, that we have neglected the contents of the United Kingdom draft convention on biological warfare,⁷ amended as suggested by the delegation of the United States to include also toxins⁸—a suggestion which was accepted by the United Kingdom delegation at our last meeting.⁹ It contains useful elements which could also be applied to the broader ban including all chemical weapons.

5. What I shall do tentatively in the following statement amounts to giving a description of the main features, as my delegation would like to see them formulated, of a convention prohibiting the development, production and stockpiling of chemical and biological weapons and prescribing the destruction of such weapons. It may perhaps be said that we are proceeding in the wrong order, as agreement has still not been reached on the basic issue of simultaneous treatment of both chemical and biological weapons. We feel, however, that by now such good reasons have been offered and such wide support has been voiced for a more comprehensive solution that we must endeavour to follow that road.

6. The preambles to the two draft conventions before the Committee contain roughly the same elements; and it should not prove difficult to amalgamate them into a single text. When we do so, reference should be added, of course, to the important resolutions which were adopted by the United Nations General Assembly after the submission of those drafts, particularly resolution 2603 A (XXIV) concerning the affirmation of the existing ban on the use of all chemical and biological agents of warfare, described in a modern definition.¹⁰

7. When it comes to the main prohibitory provision we hold the view, which I have stated in earlier interventions, that it would not suffice, nor be meaningful from a verification point of view, to prohibit only the weapons, as end-products. The prohibition must

⁴ *Ante*, pp. 132-140.

⁵ *Documents on Disarmament*, 1969, pp. 455-457.

⁶ *Ante*, p. 140.

⁷ *Documents on Disarmament*, 1969, pp. 431 ff.

⁸ *Ante*, pp. 272-273.

⁹ *Ante*, pp. 328-331.

¹⁰ *Documents on Disarmament*, 1969, pp. 716-717.

be extended to the development, production and stockpiling of the active agents themselves. Any chemical and biological agent having no recognized application other than for warfare purposes should thus be unconditionally prohibited. For such agents as have recognized uses for peaceful purposes the prohibitory regulation would refer to the cases where they were specifically applied or intended to be applied for warfare purposes. All ancillary equipment or vectors specifically designed for using chemical or biological agents as agents of warfare would also have to be prohibited.

8. In our opinion there would have to be, in connexion with these prohibitory rules, as in the United Kingdom draft, a clearly-defined clause allowing for exceptions for agents, equipment or vectors of types and in quantities that are justified for prophylaxis and therapy, for research on protective equipment and methods, or for use for riot control in accordance with national and international law.

9. We agree with the authors of the two draft conventions on the necessity of having a provision in which parties undertake not to assist, encourage or induce any State, group of States or international organization to develop, produce or otherwise acquire and stockpile the forbidden agents and equipment. We would also include language in which the parties undertake to destroy within a certain period or to divert to peaceful uses all stocks of agents and equipment prohibited under the main provision. Those rules would correspond to articles 3 and 2 respectively of the nine-power draft and to article II (b) and (c) of the United Kingdom draft.

10. When we come to the provisions on verification, our suggestions differ in several respects from the proposals in the draft conventions before the Committee. I explained our basic considerations on this subject at some length in my statement on 9 April, to which I have already referred. Our ideas—which could be put into language better adapted for use in a treaty text—could be summarized as follows.

11. All parties would undertake the following series of obligations in order to prevent any diversion of chemical or biological agents from peaceful uses to agents of warfare and to ensure compliance with the prohibitions in the treaty.

12. The first one would be to facilitate and promote international exchange of information on pertinent peaceful, scientific, technical and other activities; and to co-operate to that end.

13. The second undertaking would consist of reporting to an agreed international organization—the World Health Organization has been mentioned as a possible recipient—and as determined by such organization, relevant data on these peaceful activities.

14. The third element would consist of an undertaking by each party not to provide, nor to permit any juridical or physical person within its territory or under its jurisdiction or control to provide, to any recipient chemical or biological agents that might

be diverted from peaceful uses to agents of warfare, unless reported by the party to the responsible international organization. That provision would replace the contents of articles 4 and 5 of the nine-power draft convention; and it corresponds to the contents of article III, paragraph 2, of the Non-Proliferation Treaty.¹¹

15. The fourth step in the verification process, as we perceive it, would consist of a provision whereby the parties would undertake to consult and co-operate with each other and with the responsible international organization in solving any problems which might arise in the application of the provisions of the convention, and to facilitate any inquiry or other suitable method of clarification that might be deemed necessary on the basis of the exchange of information or collection of reports mentioned earlier. That stage would correspond to the by now well-known idea of "verification by challenge", enabling a party to free itself of any suspicion of cheating. This provision can be said to be an elaboration of the proviso in the nine-power draft, contained in its article 6.

16. Our text would, further, contain a clause in order to ensure that the safeguards I have just outlined would be implemented in a manner which would avoid hampering the scientific, technical or economic development of the parties, or international co-operation in peaceful activities. That idea is taken from the Non-Proliferation Treaty, which has a similar clause in its article III, paragraph 3.

17. The verification system could have as a final feature the right of any party which believed that actions of any other party constituted a breach of the obligations in the treaty to lodge a complaint with the Security Council. Such an idea is to be found in article III of the United Kingdom draft convention, and in the amendment to the nine-power draft convention put forward by the delegations of Hungary, Mongolia and Poland on 14 April of this year.¹²

18. Regarding the more procedural parts of the nine-power draft convention, we have two amendments to suggest: the first enabling parties to propose amendments to the convention, and the second allowing for a review conference five years after the entry into force of the convention. For both ideas we propose that the language be borrowed from the corresponding provisions in the latest draft sea-bed treaty. We consider that such provisions have proved their value in other connexions and that they should therefore form part of all future arms-control agreements. A specific task of the review conference should be stressed: namely the necessity to take into account any relevant scientific and technical developments and to pay particular attention to changes in the recognition of the application of chemical and biological agents for warfare or for peaceful purposes, respectively, as that recognition would serve as a basis for the categories of prohibition which I mentioned earlier.

¹¹ *Ibid.*, 1968, pp. 461-465.

¹² For the tripartite amendment, see *ante*, p. 140.

19. Coming to an end of this description of our suggested changes in and additions to the draft conventions, I want just to add that I fully understand and expect that other delegations may have other and better ideas. I have chiefly wanted by this description to start a process of more detailed negotiation, aimed at our arriving at a more definite treaty text which could, we would hope, be rather generally acceptable. We stand ready to discuss our ideas further, formally or informally. What is important, I think, is an accelerated pace of negotiations, enabling us to see clearly what agreement has already been achieved, what it is possible to achieve now, and where disagreement persists.

20. While our Committee has been at work on an international-binding convention on the renunciation of chemical and biological means of warfare, some important steps forward have been taken by different countries. I have already had occasion in an earlier statement¹³ to comment on the great merits of President Nixon's unilateral pledges for the United States, *inter alia* to confine its biological research to defensive measures, such as immunization and safety, to prepare for the disposal of existing stocks of biological weapons,¹⁴ to renounce preparations for the use of toxins as a method of warfare, to confine its military programme for toxins to research for defensive purposes only, and to direct the destruction of all existing United States toxin weapons¹⁵—and doing all that without waiting for the settlement of the questions of reciprocity or verification.

21. In statements to this Committee several declarations with a similar bearing have been made. The United Kingdom has said, *inter alia*, that it has never had any biological weapons, that it has none now, that it has no intention of acquiring any, and that its research in the field of biological warfare has always been confined to defensive measures.¹⁶ Canada has declared, *inter alia*, that it never has had and does not now possess any biological weapons—or toxins—and does not intend to develop, produce, acquire, stockpile or use such weapons at any time in the future; and—this commitment does not cover tear gas and other crowd and riot control agents—that it does not possess any chemical weapons and does not intend to develop, produce, acquire, stockpile or use such weapons at any time in the future unless those weapons should be used against the military forces or the civilian population of Canada or its allies.¹⁷

22. The Netherlands has said that as long ago as 1930, when it ratified the Geneva Protocol, it was among the first countries to renounce unconditionally the use of bacteriological or biological weapons.¹⁸ I take it that this means the same as not having or

¹³ *Ante*, p. 135.

¹⁴ *Documents on Disarmament*, 1969, pp. 592-593.

¹⁵ *Ante*, pp. 5-6.

¹⁶ CCD/PV. 462, p. 7.

¹⁷ *Ante*, p. 113.

¹⁸ *Ante*, pp. 94-95.

intending to acquire such biological weapons. Otherwise, quite a number of countries, including my own, have ratified without any reservations the comprehensive Geneva Protocol against the use in war of either biological or chemical weapons.¹⁹

23. In my country we have recently stated explicitly that our position in regard to chemical and biological means of warfare is definitely a negative one concerning both their production and their use. On 29 April my Government in a message to Parliament on foreign policy declared the following:

... the Government considers it important to call attention to the fact that Sweden does not possess, nor does it intend to manufacture, any biological or chemical means of warfare. Research work is being carried out to develop protective methods in the event of our country being attacked with such weapons. Such research work, for example in respect of vaccines, is of obvious importance also in peacetime, *inter alia* to develop protection for the population against various diseases.

24. I want to add that the systems of control which exist in many countries, as also in Sweden, in regard to the handling of materials such as drugs, pesticides, insecticides and poisons would seem adaptable to a future international control system. We also set great store by the principle of openness; and we are at present exploring the possibilities of adapting our procedures to any future international obligations.

25. Some members of our Committee have recently invited nations to follow this avenue of national renunciation. I have earlier welcomed such national decisions; but I have also stressed, and I want to stress again, that unilateral decisions can be no substitute for internationally-binding agreements. It is important that such voluntary undertakings should not be one-sided or result in an unbalanced situation. And it is, of course, preferable to arrive at a state of affairs in which we shall have an international treaty so that all renunciations will have the same and, we hold, maximum coverage.

26. I wish to end this statement by pointing out that I have not touched upon any of the recently-raised technical aspects of our work on treaty obligations because I hope we can continue that discussion at a new informal meeting of the Committee in the near future.

**Statement by the Moroccan Representative (Khattabi) to the
Conference of the Committee on Disarmament: Chemical and
Bacteriological Weapons, July 28, 1970¹**

I also should like to welcome to our midst Lord Lothian, the new leader of the United Kingdom delegation, who has just

¹⁹ *Documents on Disarmament, 1965*, pp. 764-765.

¹ CCD/PV. 482, pp. 15-17.

delivered a brilliant maiden speech to the Conference. We wish him the greatest success in the mission entrusted to him by his Government.

40. Approaching the thorny problem of the prohibition of chemical and bacteriological (biological) weapons, Mr. Benhima pointed out at our meeting of 21 April that, even if the technical, military and other distinctions between the two categories of weapons, biological and chemical, are recognized,

... the certain conclusions of such an analysis do not seem to outweigh the advantages of a prohibition of the two categories of weapons simultaneously and the incorporation of that prohibition in a single text.²

That comment, which summarizes the preliminary point of view of the Moroccan delegation on chemical and biological weapons, is by no means intended to disregard the difficult problem of defining a system of verification capable of ensuring that the provisions of an agreement prohibiting chemical and bacteriological weapons shall be respected and observed.

41. In view of the importance which my delegation attaches to this vital and urgent question, I have the honour to submit to the Conference today a working paper³ based on the outline given by the leader of my delegation on 21 April.⁴ This document, the object of which is to help simultaneously to reconcile ideas expressed in the Conference and to search for a way out of our impasse, also takes into account resolution 2603 B (XXIV) of the United Nations General Assembly, which requests our Conference—

... to give urgent consideration to reaching agreement on the prohibitions and other measures referred to in the draft conventions [submitted to the Conference] and other relevant proposals.⁵

42. While we recognize the important and decisive role of political will in the total elimination of chemical and biological weapons, we have to observe that the international situation and the relations between the great Powers possessing or able to make such weapons are not often such as to promote that mutual confidence which is an essential and indispensable component of political good will. Furthermore, the mutual fear generated by the existence of arsenals of chemical and biological weapons is bound to encourage their proliferation and consequently increase the danger of their use for destructive ends.

43. To promote and strengthen mutual confidence among States it is necessary and urgent to adopt a certain number of international disarmament measures. Thus it is of the greatest importance to conclude an international agreement under which all States parties would undertake the contractual and solemn obligation no longer to develop, manufacture or stockpile chem-

² CCD/PV.466, p. 9.

³ *Ibid.*

⁴ CCD/PV.466, pp. 5-13.

⁵ *Documents on Disarmament, 1969*, pp. 717-719.

ical or biological weapons, and to destroy existing stocks of these. The salutary effect of such an undertaking both upon international opinion and upon relations between States can easily be imagined.

44. Paragraph 1 of our working paper proposes that the development, production and stockpiling of chemical and bacteriological weapons, including toxins, should be jointly prohibited by one principal legal instrument which would also provide for their destruction. The draft convention submitted last year to the United Nations General Assembly by nine socialist countries⁵ with the amendment submitted by Hungary, Mongolia and Poland,⁶ and the draft convention of the United Kingdom⁷ amended at the suggestion of the United States delegation,⁸ appear to contain the main points of this prohibition.

45. To guarantee that the provisions of that agreement are respected and observed, we consider that verification and control procedures might be dealt with separately for biological agents and toxins—whose immediate elimination does not raise any major difficulty—and for chemical agents, whose complexity makes it difficult at present, in the view of certain delegations, to have a control that would inspire confidence in the observance of the provisions prohibiting these agents if designed for military use. Therefore, according to our working paper, we must provide in the principal instrument means for the consideration of problems concerning procedures of verification for the prohibition of chemical weapons. That instrument should, of course, set a time-limit for the drafting of a supplementary document which would definitively lay down the verification procedures for this category of weapons. The convening of a meeting of experts, proposed last year by the Japanese delegation,⁹ would in our view certainly be useful particularly to consider the technical aspects of verification relating to chemical weapons.

46. The relation between the industrial and commercial production of chemical agents for civilian purposes and the manufacture of chemical weapons is an important aspect of the problem which should be examined and settled. That problem has already been the subject of a number of working papers and of relevant and constructive comments.

47. In that connexion I should like to emphasize that military reasons should not prevent us from dealing with these two categories of weapons together and enacting their prohibition in a single instrument. It should be made clear, consequently, that the technical aspects of the problem of verification of chemical agents are, in our view, the only ones that should be considered to justify

⁵ *Ibid.*, pp. 455-457.

⁶ *Ante*, p. 140.

⁷ *Documents on Disarmament*, 1969, pp. 431 ff.

⁸ *Ante* pp. 276-277.

⁹ *Documents on Disarmament*, 1969, p. 412.

the preparation of a text that could be appended, according to our working paper, to the basic instrument designed completely to eliminate chemical and biological weapons.

48. Before concluding, I should like to express my delegation's gratitude to all those who have helped our work forward by presenting working papers or suggestions on this question. In that connexion we listened with the keenest interest to the remarkable statement made on 21 July by Mrs. Myrdal, the Swedish representative, who clearly described the main features of an agreement combining the advantages of the two draft conventions before us and at the same time providing valuable material for a completer and more broadly acceptable agreement.¹⁰ We consider that the analysis she then made deserves the closest consideration by this Committee. We sincerely hope that the efforts of the members of this Committee will enable us to accomplish the important task entrusted to us by the United Nations General Assembly.

Moroccan Working Paper Submitted to the Conference of the Committee on Disarmament: Prohibition of the Development, Production, and Stockpiling of Chemical and Bacteriological (Biological) Weapons and on the Destruction of Such Weapons, July 28, 1970¹

The use of chemical and bacteriological (biological) agents for non-peaceful purposes may inevitably lead to the greatest death-dealing catastrophe and the worst immediate and long-range, predictable and unpredictable, disasters that mankind has ever experienced or imagined. The reports of experts at our disposal and the observations of a large number of delegations both in the Conference of the Committee on Disarmament and in the United Nations at New York are unanimous in affirming that primary fact. We strongly believe that we would be failing in our duty as human beings and as members of the United Nations family if we ever stopped worrying about that fact even for a moment. In keeping with this attitude, the delegation of Morocco is submitting to the Committee this working paper, which in four points outlines a system that permits the insertion of procedures for prohibiting the production of chemical and bacteriological weapons and for verifying such prohibition.

1. The development, production and stockpiling of chemical and bacteriological (biological) weapons should be jointly prohibited by the terms of one principal legal instrument which would also make provision for the destruction of such weapons.

¹⁰ *Supra*.

¹ CCD/295, July 28, 1970.

2. The procedures concerning verification and guarantees ensuring observance of obligations would be dealt with separately for bacteriological (biological) agents and for chemical agents.

3. The verification procedures relating to bacteriological (biological) weapons would be laid down definitively in the provisions of the principal instrument, and the total elimination of such weapons could be effective upon the entry into force of that instrument.

4. In view of the technical difficulties connected with the verification problem as regards chemical weapons, the principal instrument should provide in quite precise terms for the manner in which a subsequent examination will be held with the object of arriving, within a period of time prescribed by the principal instrument, at the text of a supplementary document which would definitively lay down verification procedures for chemical weapons.

The supplementary document, whose legal form would be determined by the principal instrument, would put into effect the total and definitive implementation of the provisions prohibiting such weapons.

British Working Paper Submitted to the Conference of the Committee on Disarmament: Verification of a Comprehensive Test-Ban Treaty, July 28, 1970¹

1. In August 1969 the United Kingdom tabled a working paper entitled "Further Notes on United Kingdom Research on Techniques for Distinguishing Between Earthquakes and Underground Explosions".² This paper described developments in seismic methods for monitoring underground explosions, in particular the U.K. studies made of events in 1966. The results of these studies formed the basis of the SIPRI Study Group Report in 1968 which concluded that explosions with a yield down to 10 kilotons in hard rock could be identified, given the deployment of an improved seismic system.³ The conclusion reached in ENDC/258 was that the next step might be a detailed study of the ways and means of deploying an operational system based on the new techniques, in order to achieve the identification capability predicted by the SIPRI Report.

2. There is increasing interest in the international exchange of seismic data as an aid to verification of a Comprehensive Test Ban Treaty. Replies to the Secretary-General's enquiry called for in General Assembly Resolution 2604A(XXIV)⁴ will enable a comprehensive review to be made of the present status of seismic

¹CCD/296, July 28, 1970.

²*Documents on Disarmament*, 1969, pp. 405-408.

³*Ibid.*, 1968, pp. 455-458.

⁴*Ibid.*, 1969, pp. 719-722.

monitoring of underground nuclear events. In the meantime the United Kingdom Atomic Energy Authority, as a contribution to such a review, has carried out a study aimed at determining what detection/identification capability could now be achieved in support of a Comprehensive Test Ban Treaty, at what cost and on what time scale. The study presupposed that maximum use would be made of existing stations known to have the required sensitivity. It was assumed that the estimated capability must not only take into consideration hard rock conditions, but also decoupling and other possible evasion methods. The study was world-wide, but it was recognised that the main interest would be in the Northern Hemisphere. It has not, of course, attempted to take into account the replies to the Secretary General's enquiry.

3. This working paper takes into account only those improvements which the SIPRI Study Group considered to be sufficiently proven for the effects of incorporating them in a postulated network to be predicted with some accuracy. Other improvements are, of course, under research and development study, such as the application of very long wave techniques, but this paper has not attempted to benefit from these since they remain to be investigated more thoroughly before they could be deployed.

4. To the existing four U.K. type (21 element short period) arrays and the three large arrays ALPA, LASA and NORSAR there are assumed to be added 19 more U.K. type stations making a total of 26 world-wide. Stations can be moved up to 1000 km without significantly changing the detection threshold as shown by map A.⁵ The printed m_b values have been contoured. A minimum of four stations must detect the P signal in order to locate the event with a signal to noise ratio of 2. (A similar study, presented at the SIPRI sponsored conference on this subject, adopted a ratio of 1.5 which we believe to be too small.)

5. Each station would also be equipped with a 16 element long period array using American instruments. Map B⁶ displays the detection threshold for Rayleigh waves in terms of earthquake m_b values; add one order of magnitude to each value to obtain the detection threshold for explosion R waves *after optimum processing of the array sum*. A minimum number of three stations must detect the R signal to allow for accidental masking by other events and for the radiation pattern of earthquakes. The signal to noise ratio of 2 follows the SIPRI study but the minimum number of detecting stations (four) required by the SIPRI study is reduced by one.

6. Should it not prove possible to install all the stations, the overall capability of the system would of course be reduced.

⁵ Not printed here.

⁶ Not printed here.

DETECTION AND IDENTIFICATION THRESHOLD

7. In the Northern Hemisphere, 90% of all *earthquakes* down to a magnitude of at least m_b 4 (1-2 kilotons in hard rock) will be detected and identified by a minimum of four stations (location) and three stations (identification). These figures assume optimum processing, especially of the surface wave recordings where gains of $\frac{1}{2} m_b$ after processing have been confirmed. The term "threshold" refers to a probability of 90%. No station is said to detect at signal to noise ratios of less than 2, and noise levels are assumed to be the mean annual root mean square values.

8. These figures for *detection* and *location* apply also to explosions. However, explosion generated surface waves are nearly an order of magnitude lower in amplitude for a given m_b value, so the *identification* threshold in the Northern Hemisphere for these events would be about m_b $4\frac{1}{2}$ (3-6 kilotons in hard rock). The explosion identification threshold in parts of Central Asia would rise to about m_b $4\frac{3}{4}$ (6-12 kilotons in hard rock) if the four stations located in the USSR were not in fact installed.

9. In principle it would be possible to improve detection of surface waves by $\frac{1}{4}$ of a magnitude unit by including 36 elements in the long period arrays. Each station would then occupy an area of 15000 km² compared with the 7500 km² which would be occupied by each of the assumed stations, and there would be a proportionate increase in costs. This possibility was not considered:

- (a) Because more Research and Development is required to confirm whether or not the discrimination criteria apply with equally high probabilities to events in the magnitude range m_b 4- m_b $4\frac{1}{2}$.
- (b) Because dry alluvium of sufficient thickness (about 1000 ft) to contain an explosion up to 10 kilotons is thought to be of fairly common occurrence in the interiors of large continents, so the network, external to the country concerned, could not detect the P signal.

CRITERIA

10. Four parameters have established themselves as reliable criteria for discriminating between earthquakes and explosions:

- (a) P wave: R wave ratios. Amplitude ($m_b:m_s$), area under the wave train (AR) or spectral ratio distributions for earthquakes and explosions from the same regions are separated such that decisions with 95% probability can be made.
- (b) Depth of source: separates all located events into shallow (less than 50 km deep) and deep.
- (c) First motion.
- (d) Complexity of P wave.

11. Using these criteria, the great majority of earthquakes would be identified at individual stations after relatively simple

analysis techniques. A small computer would be installed at each station to assist with data handling and processing.

DATA PROCESSING AND COLLATION

12. A Data Collection and Collation Centre would appear from this study to be a desirable part of the network described. Without it, the network would not maintain common standards of operating, quality control and reporting. The detection/discrimination capacity predicted would not be achieved on a continuing basis.

13. Amplitude, period, and character of P and R waves of unidentified earthquakes, and any explosions, would be transmitted to the Data Collection and Collation Centre by the best available communication channels, together with P onset times of *all* events. All epicentres would be determined by the Data Centre. Records of events still unidentified would be sent by air mail on request by the Data Centre.

14. The Data Centre would collate and store data which it would provide to any contributing country on request.

15. If it were thought advisable, the Data Centre could also present analyses and the results of applying the criteria to a decision making (technical) body.

16. Experience with Research and Development programmes indicates that the acquisition of this extensive data from the proposed world-wide network of stations should further the physical understanding of the seismic phenomena and of techniques for discrimination, and may thereby lower the identification threshold for explosions.

17. The criteria given above refer to the probabilities of identifying nuclear events which have in fact occurred, but there is a further uncertainty which must be recognised. Seismic records show that one or two earthquakes with magnitudes between $m_b 4\frac{1}{2}$ and $m_b 5$ occur annually in the Northern Hemisphere, which, because of their so far unexplained low surface wave amplitudes, may be wrongly identified as nuclear events.

COST OF THE SYSTEM

18. A very approximate estimate has been made of the cost of installing and operating such a system, based on experience with UK arrays. Excluding any installation costs for the seven existing stations, the cost of installing short and long period arrays at each station, together with a data analysis system for each station, and including the cost of a Data Centre, would not be less than £15m. These costs would include site surveys and engineering, drilling, transport of equipment, and would also include a terminal at the Data Centre for NORSAR, LASA and ALPA long period channels, and for the best short period beam from these arrays. It however assumes that the Data Centre would be so situated that it could draw on computing facilities without capital costs.

19. The total cost of operating the system would not be less than about £5m a year. However, it is expected that the costs of housing and of staff would be borne by the host country for each particular station, and excluding these, the central costs of operating the network would amount to something like £2m a year. This would include station technical maintenance replacements and modification at stations other than ALPA, NORSAR and LASA; data and message communications (existing telegram or telex civil facilities, postage of records—we assume delays of several days to confirm a given event); the costs of staffing and running the Data Centre; and the costs of buying computer time for use by the Data Centre.

HOUSING AND STAFF

20. The basic concept of the network is that each country would house and staff its own station, and would have the right to ask the Data Centre for data from other stations to supplement data from its own.

TIME SCALE

21. It would be technically possible to install the network in about five years following approval to enter the sites chosen. It would then take a year or so for the network to settle down and operate as a unit.

22. The question of location of the Data Centre would need to be discussed. For the purposes of this study, we have assumed a location in the UK, centred on the existing research centre at Blacknest. The Data Centre could be engineered and installed on the same time scale as the rest of the system.

EVASION

23. Apart from "soft rock" decoupling, theoretically it is possible to decouple by a factor of 300 relative to hard rock containment by firing in a cavity excavated in hard rock or salt. Experimentally factors of 50 to 100 have been observed using chemical charges and one nuclear explosion of 0.35 kiloton. A cavity to decouple 10 kilotons would be about 450 ft in diameter, the volume of its spoil being something like that of a coal mine's spoil heap. The extra cost and inconvenience to weapon trials would be considerable. For example, an oil storage reservoir of suitable dimensions has been dissolved out of a salt dome over a period of 4 years at a cost of \$14m. It is not yet known whether such cavities could be used repeatedly, though refrigeration of the cavity may be necessary for repeats at less than two-year intervals. It may be possible to increase the fully decoupled yield in cavities by factors of 2, and the use of heat sinks in the cavity may result in a reduction in the size of the cavity required to decouple a given yield, but no experimental data are available to date.

24. Yields of up to 100 kilotons could be tested, without being

seismically detected, by correctly timing the firing sequence in relation to suitably located larger earthquakes, thereby deliberately masking the explosion signals by those of the earthquakes. Earthquakes of magnitudes $m_b 7\frac{1}{2}$ which are required to successfully blanket signals generated by explosions of 100 kilotons occur sporadically at intervals of about once a year on average. Like the "big hole", this adds greatly to the cost and speed of development.

25. Simulation of an earthquake is possible by firing a series of weapons of different yield up to several tons of kilotons. This method of evasion may fail however because, unlike decoupling and signal masking, the signals would be detected and analysed; the surface wave spectra for example could be characteristic of explosions. This uncertainty constitutes a considerable deterrent.

26. Other than soft rock decoupling, none of these evasion techniques has been demonstrated experimentally for yields greater than 0.35 kiloton.

CONCLUSION

27. This working paper defines the capability and costs of a practical monitoring network given the present state of the art in seismology and evasion. There seems to be little point in defining a more elaborate and costly system at this stage because discrimination criteria for low magnitude events ($m_b 4 - m_b 4\frac{1}{2}$) are not yet proven, and because in the larger countries signals from explosions of about 10 kilotons ($m_b 4 \frac{3}{4} - m_b 5$) and less, fired in dry alluvium, may not be detected by the external portion of the network.

28. More detailed studies of siting, communication and system problems could be made available, and work on these in the UK is continuing.

APPENDIX A

A Test Ban Glossary

Detection	Recognizable P Signal at one station.
Location	Recognizable P signal at four stations.
Identification, discrimination	Earthquake or explosion source diagnosed with 90% probability of being correct by ratio of P:R wave recordings at three stations.
Unidentified	Evidence for one or other with less than 90% probability.
P wave	Elastic body wave in which particle motion is in the direction of propagation. Optimum signal/noise in the (short period) 1-2 Hz band at long distances.
R wave	A type of wave propagated along a free surface of an elastic body, e.g. the earth. Particle motion is elliptical and retrograde in the vertical plane containing the direction of propagation. Velocity of wave propagation increases with depth, so the wave is frequency dispersive. At long distance the optimum signal/noise lies in the (long period) band

	12-40 s period for relatively small events. (Relatively small source volumes.)
First motion	Initial displacement of ground under seismometer. Caused by compressional (upward) or dilational (downward) P wave. Indicates motion away from or towards source respectively. Only earthquakes have mechanism which can cause downward motion towards the source.
Depth of focus	Depth below ground zero (epicentre) of weapon or earthquake.
Complexity	Ratio of first 5 s to next 25 s of seismic energy arriving at recording station.
Seismic area	Linear zones in which earthquakes frequently occur—usually areas of new or very recent mountain building.
Aseismic area	Area in which earthquakes rarely occur—usually low lying areas of very ancient rocks (= shield areas).
Signal to Noise Ratio (SNR)	The amplitude, or energy, ratio of the detected signal with respect to background noise.
Background Noise	Seismic noise which peaks sharply in amplitude at 6 s period, i. e. between the optimum (SNR) bands of the P and R waves, with minor peak at 18 s. Characteristic periods are determined by crustal structure. For oceanic crust this period is 6 s, for the continental crust 18 s.
Magnitude	An arbitrary (logarithmic) scale devised to measure the relative sizes of earthquakes. Magnitude zero is defined with respect to a trace amplitude of 1 mm recorded by a specified instrument at a distance of 100 km. Empirical amplitude-distance curves are used to normalize observed amplitudes. Scatter of $\pm \frac{1}{2}$ magnitude due to deviations from a homogeneous condition at source and receiver, to interference of P wave by surface reflected echo, and to lobe pattern of radiation by earthquakes. Magnitude-yield relation varies with rock type and regional structure; for "hard" rock, observed to be 1-3 ktons at $m_b 4$, and 10-30 ktons at $m_b 5$.
m_b derived from observed P wave amplitude	
m_s derived from observed R wave amplitude	
Decoupling	Reduction of magnitude for a given yield with respect to a "hard" rock source by firing: <ol style="list-style-type: none"> in "soft" rocks. Dry alluvium, the most common of the high porosity ("soft") rocks, reduces the amplitude of the P signal by an order of magnitude relative to that radiated from a granite ("hard") source rock. in a cavity large enough to deform elastically when the pressure pulse reaches the cavity walls. The radius required is smaller than that of the elastic "cavity" round a fully coupled explosion and the radiated seismic energy is reduced by a factor of 104, corresponding amplitudes by 10^2 relative to hard rock source. (b) is the extreme case of (a).
Evasion	Any method by which a country can carry out a nuclear test and not be found out by seismic observation. Methods of evasion include: (assuming a monitoring system outside the country making the test), firing an explosion that is too small to be identified; decoupling larger explosions to reduce seismic signals to below the identification threshold; firing an explosion soon after an earthquake so that the explosion signal gets confused with the earthquake signal; attempting to

"Hard" rocks

(Igneous: crystallized from a melt)

(Sedimentary: eroded and redeposited by water or wind, consolidated, "cemented")

"Soft" rocks

(Unconsolidated or partly consolidated sedimentary rocks)

simulate an earthquake by firing a series of explosions at carefully chosen intervals. The technical capability of the monitoring network must be estimated beforehand.

Low porosity rocks. Granitic rocks are characterized by SiO_2 (quartz) and alkali silicate minerals (feldspars). The glassy (rapidly cooled) rock of this composition is called rhyolite. Basaltic rocks are characterized by the absence of free silica and the presence of ferro-magnesium silicates (olivines). LONGSHOT was fired in this kind of material. Among the sedimentary rocks, some limestones and shales have low porosities.

Medium to highly porous rocks. Tuff is an example of moderately porous, friable rock formed from volcanic dust. Water saturated tuff couples almost as well as does hard rocks. Alluvium is a highly porous, unconsolidated, wind blown (loess) or waterborne material, mainly composed of silica and clay minerals. Usually water saturated at depths of a few hundred feet, but in arid or semi arid upland plains (e.g. Nevada) thicknesses of several hundred feet of dry alluvium may be found. The thick deposits of loess in China are fully documented in school texts as giving the Yangtze Kiang its name. Decoupling factors drop from between 10/20 to between 2 and 4 in water saturated alluvium.

One rock type grades into the next. The above types are all found in Nevada, and probably represent the extremes in the context of magnitude/yield. Plowshare experiments which are planned in other varieties can be used to test this statement.

LASA, ALPA, NORSAR

Large arrays sponsored by ARPA for Vela Uniform programme. Sited in Montana, Alaska and Norway respectively. The latter two are still under construction.

Nine-Nation Working Paper Submitted to the Conference of the Committee on Disarmament: Revised Draft Sea-Bed Treaty, July 30, 1970¹

1. In *Article III, para 2*, the words "shall be notified of, and" should be deleted and the following added: "The State Party initiating the verification procedure shall notify all other Parties of the beginning of such a procedure, as well as of the results of the verification, directly or through the United Nations."

2. To *Article III, para 5*, should be added the words "or through appropriate international procedures within the framework of the United Nations and in accordance with its Charter."

3. A new article should be added to the present text, preferably after the present Article IV. This new article, which would thus become Article V, would read: "Each of the Parties to the Treaty

¹CCD/297, July 30, 1970. The paper was submitted by Burma, Ethiopia, Mexico, Morocco, Nigeria, Pakistan, Sweden, UAR, and Yugoslavia. The draft treaty appears *ante*, pp. 185-188.

undertakes to continue negotiations in good faith on further measures relating to a more comprehensive prohibition of the use for military purposes of the sea-bed and ocean floor and the subsoil thereof."

**News Conference Remarks by President Nixon on the
Strategic Arms Limitation Talks [Extracts], July 30, 1970¹**

Q. Mr. President, last Sunday the Russian naval commander engaged in a bit of saber rattling directed at us. And I recall that Admiral Hyman Rickover and General Thomas Power of SAC in the last year warned that we are falling behind in the armaments race and they warned of nuclear blackmail if the Russians get ahead. Now with that in mind, do you think we can afford to disarm at this point or what is your feeling in that regard?

The President. Well, we have certainly no intention of disarming. What we are talking about in the SALT negotiations is not disarmament but a limitation of arms where we limit what we do and they limit what they do. The very thing that you refer to makes it very important for us to pursue those negotiations, because the Soviet Union, since 1967, for example, when we stopped any deployment of land-based missiles, since that time, has deployed 724 ICBM's, either SS-9's or SS-13's.

Since that time when we launched our last nuclear submarine with missile-carrying capabilities, the Soviet Union has deployed 13 more. And by 1975, assuming they continue their present building pace, they will catch up with us in nuclear submarines.

We can either continue this race in which they continue their offensive missiles and we go forward with our defensive missiles, or we can reach an agreement. That is why at this point we have hopes of attempting to find, either on a comprehensive basis, and lacking a comprehensive basis, a selective basis, the first steps toward which the superpowers will limit the development of and particularly the deployment of more instruments of destruction when both have enough to destroy each other many times over.

Q. To pursue the question of our military preparedness a bit further, twice within the past week statements have been made by high ranking naval officers, Admiral Rickover and Admiral U.S. Grant Sharp, to the effect that our military preparedness is suspect. And they went further. Each gentleman said that in his opinion it is doubtful that we could win a war with the Soviet Union. Given the eminence of these gentlemen, as Commander in Chief, how do you regard the validity of those statements?

¹ *Weekly Compilation of Presidential Documents*, Aug. 3, 1970, p. 1000. The news conference was held at the Century Plaza Hotel in Los Angeles.

The President. Well, I would first react by saying that if there is a war between the Soviet Union and the United States, there will be no winners; there will be only losers. The Soviet Union knows that and we know that.

That is the reason why it is vitally important that in areas like the Mideast we attempt to avoid to the greatest extent possible being dragged into a confrontation by smaller powers, even though our interests in the area are very, very great. That is why it is very much in our interests in the SALT talks to work out an arrangement if we can, one which will provide for the interests of both and yet not be in derogation of the necessity of our having sufficiency and their having sufficiency.

One other point I would make briefly is this: What the Soviet Union needs in terms of military preparedness is different from what we need. They are a land power primarily, with a great potential enemy on the east. We are primarily, of course, a sea power and our needs, therefore, are different. But what is important now is to find a way to stop this escalation of arms on both sides, and that is why we have hopes in the SALT talks which, I emphasize again, do not involve disarmament for the United States or the Soviet Union, but do involve a limitation and then eventually a mutual reduction.

**United States Working Paper Submitted to the Conference of the
Committee on Disarmament: Seismic Data From Project Rulison, August 4, 1970¹**

On September 10, 1969, the Atomic Energy Commission detonated an underground nuclear device in northwestern Colorado. The experiment, designated Project RULISON, was carried out under the AEC's Plowshare programme to develop peaceful uses of nuclear energy. RULISON, which was designed to stimulate natural gas recovery from a formation of low permeability, had the following source parameters:

Date:	September 10, 1969
Origin time:	21:00:00.1 G.M.T.
Geographic Co-ordinates:	39.406° N 107.948° W
Surface Elevation:	8,154 feet (above sea level)
Shot depth:	8,425 feet (beneath the surface)
Yield:	40 kilotons (planned)
Medium:	Cretaceous sandstone and shale

¹ CCD/298, Aug. 4, 1970.

In addition, RULISON was utilized as a seismic experiment by fielding temporary measurement stations and by collecting data from permanent seismic stations. RULISON thereby served as the initial implementation of the U.S. Seismic Investigation Proposal presented to the United Nations General Assembly on December 5, 1968.² To foster the exchange of seismic data and to assure that studies concerning the seismic character of explosions could be conducted, the Coast and Geodetic Survey sent pre- and post-shot advisories to the international seismological community. Those notified included seismograph station directors and scientific organizations throughout the world. After the explosion, the Coast and Geodetic Survey collected seismograms covering the event and arranged to make copies of the records available upon request from the Seismological Data Center of the Environmental Science Services Administration.

It is on the basis of the above information that the report being circulated to the CCD today, entitled "Seismic Data from RULISON," was prepared by the Coast and Geodetic Survey under the sponsorship of the United States Arms Control and Disarmament Agency. The purpose of the report is to present a comprehensive resume of seismic data from RULISON, including travel times and amplitudes of the principal phases and the associated body- and surface-wave magnitudes. A representative collection of RULISON seismic signals, arranged in order of increasing distance, has also been included.

In summary, teleseismic data from RULISON indicated an average body-wave magnitude of 4.9. Teleseismic surface waves with periods primarily in the 10- to 12-sec range indicated an associated surface-wave magnitude of 4.5. The amplitudes of principal phases from RULISON indicate more efficient wave propagation in Eastern North America than in Western North America.

**Statement by the United States Representative (Leonard) to the
Conference of the Committee on Disarmament: Comprehensive
Test Ban and Seismological Research, August 4, 1970¹**

First may I join you, Mr. Chairman, in welcoming back Ambassador García Robles, the head of the Mexican delegation?

4. I should like to refer this morning to the continuing efforts of this Committee to achieve an effective basis for an adequately-verified comprehensive test ban, bearing in mind that the General Assembly, in resolution 2604 B (XXIV), requested us to pursue this goal as a matter of urgency and to pay special heed to the question in our reporting to the twenty-fifth session of the

² *Documents on Disarmament, 1968*, pp. 769-770.

¹ CCD/PV.484, pp. 5-8.

General Assembly.² One year ago President Nixon expressed his pleasure that verification problems had been seriously explored at the preceding, spring session of the Eighteen-Nation Committee on Disarmament. In his message to the members at the opening of the summer session of this Conference in 1969, President Nixon re-emphasized that—

The United States delegation will be prepared to continue to participate in efforts towards greater understanding of this key issue. It is only by means of careful study, with due regard for all of the relevant technical and political considerations, that progress can be made.³

I should like today to reaffirm our strong interest in examining means by which a comprehensive test-ban treaty might be verified so that it would represent a stable arrangement which could enhance the security of all.

5. My Government has recently taken a step to advance the vital exchange of information in the field of seismic technology. As this Committee is aware, the United States has invited other States to submit data on the seismic effects of Project Rulison, a nuclear test in the United States Plowshare programme, in order that the findings may be compiled and analysed.⁴ In proposing this method of seismic investigation we had in mind the potential usefulness of comparing the data from as many widely-dispersed seismic stations as possible on one given event with known parameters. Through such a procedure the effects of seismic data of regional characteristics and distance from the location of the event could be studied, as could the variations between different types of seismic instrumentation. We expected the experiments, in addition to making practical contributions to the amount of seismic information available on a worldwide basis, to serve as a medium for developing future patterns of seismic exchange.

6. After the Rulison event, which took place on 10 September 1969, the United States Coast and Geodetic Survey received useful seismic data from seventeen countries, in all of which the stations recorded the event. Analysis of the data is continuing. A most interesting report on this experiment has already been prepared separately by Mr. P.W. Basham and Mr. R. J. Halliday of the Canadian Seismological Service. As is suggested in our preliminary working paper on Project Rulison, analytical reports of this nature could be discussed in appropriate scientific and technical forums.⁵

7. Meanwhile, we have compiled and tabulated the data on which the analyses will be based. My delegation is making available today a report entitled "Seismic Data from Rulison", which contains a comprehensive resume of seismic data from Rulison, including travel times and amplitudes of the principal phases and the associated body and surface wave magnitudes. Representative

² *Documents on Disarmament, 1969*, p. 722.

³ *Ibid.*, pp. 300-301.

⁴ *Ibid.*, 1968, pp. 769-770.

⁵ *Ibid.*, 1969, pp. 246-247.

seismic signals from Rulison have also been included, together with a description of the instrumentation used to record the event. Representatives will note that we have also circulated for their convenience a working paper which briefly introduces and summarizes the Rulison report.⁶

8. Regardless of the conclusions that may be reached on the basis of this single experiment, its value could be enhanced if additional experiments of a similar nature were conducted. The United States for its part will make known in advance to the members of this Committee when and if future United States experiments are scheduled that could lend themselves to seismic investigation. We should be pleased to co-operate to the fullest extent with others who might choose to carry out similar projects.

9. As another step in the same direction, my Government has submitted a list of seismic stations from which the United States, in accordance with resolution 2604 A (XXIV) of the United Nations General Assembly, would undertake to provide records as part of an effective world-wide exchange of seismological information.⁷ Since, in accordance with a proposal by the representative of Canada,⁸ we shall hold an informal meeting on 12 August to discuss such an exchange, the United States delegation will have more to say on the subject at that time.

10. I should like to mention, in addition, some other ways in which the United States has moved to advance the science of seismology, and to improve the seismic techniques that might complement on-site inspections so as to provide adequate verification for a comprehensive test-ban treaty. A substantial part of recent seismological progress has in fact resulted from research performed and published by the United States Government and private institutions in the United States.

11. We have mentioned previously the role of United States assistance in the construction of the Norwegian Seismic Array (NORSAR) in Southern Norway.⁹ This installation is approaching full operational status; and it is expected that very useful data will be obtained there. To further the study of phased arrays, the United States is also nearing completion of the Alaskan Long Period Seismic Array (ALPA) north of Fairbanks. That array will consist of nineteen unattended instrument sites arranged in a hexagonal pattern at twenty-kilometre intervals, and is capable of being expanded to a thirty-seven-site hexagonal array with a total aperture of 120 kilometres. Each instrument site includes a long-period three-component seismometer.

12. By the end of 1970 data from ALPA and NORSAR will be transmitted in real time—that is to say, as the event is happening—to the Seismic Array Analysis Centre in Washington for

⁶ *Supra.*

⁷ *Documents on Disarmament, 1969, pp. 719-722.*

⁸ CCD/PV.480, p. 24.

⁹ *Documents on Disarmament, 1969, pp. 402-405.*

recording and processing, as is already the case with data from our Large Aperture Seismic Array (LASA) in Montana. The data will be stored on magnetic tapes and will be available to all at nominal cost.

13. Concurrently with those developments the United States is maintaining an active programme of research into the effects of the geological characteristics of different regions on seismic motion. That problem needs considerable further study, however, before reliable correlation of the data obtained in different regions of the world can be assured. As pointed out in the interesting "Progress Report of the Seismic Study Group" prepared in February 1970 by Dr. David Davies under the auspices of the Stockholm International Peace Research Institute (SIPRI), in the last two years we have gained new understanding of the tectonic processes of earthquakes; but much work remains to be done in examining how that new knowledge might simplify the problem of identifying seismic events.

14. I have sketched only briefly the general scope of current research and development under way in the United States in the seismic field. In many respects we are still on the frontier of an understanding of the complex processes that result from natural and man-made disturbances beneath the earth's surface. Greater understanding and useful means for applying it will inevitably come in the years ahead. We hope others will join us in a diligent effort to pool this knowledge as we continue to consider the problems connected with verification which have in the past prevented the achievement of a comprehensive test ban.

Remarks on Biological Warfare by Dr. Joshua Lederberg to the Conference of the Committee on Disarmament, August 5, 1970¹

This is the first occasion at which I have been invited to attend a meeting of this kind. It is also a twenty-fourth anniversary of another occasion when I was a young medical student attending my first scientific conference. This was an international meeting at Cold Spring Harbor, near New York, and it could be truly labelled as the birthdate of a new scientific field, the genetics of bacteria and of viruses. My first published work was presented at that meeting and it concerned the discovery, contrary to decades of previous supposition to the contrary, that bacteria were indeed possessed of a mechanism like sexual reproduction which made it possible to crossbreed different bacterial strains. These observations, together with related ones by many other colleagues have gone into the emergence of the most powerful of new methods and insights in experimental biology, going generally under the name of molecular biology.

¹CCD/312, Aug. 27, 1970. The remarks were made at an informal CCD meeting.

From the very beginning it was inescapable to me that these new approaches for the understanding and manipulation of living organisms had potential implications for human progress of very great significance. On the one hand molecular biology could increase man's knowledge about himself and lead to revolutionary changes in medicine in such fields as cancer, aging, congenital disease, and virus infections. It might also play a vital role in industry and in agriculture. On the other side it might be exploited for military purposes and eventuate in a biological weapons race whose aim could well become the most efficient means for removing man from the planet. As a student of evolution, and having studied it in the microcosmos with bacterial cultures, I knew that man had no guaranteed place on our earth. He has faced and continues to face natural disasters like the infestations that have wiped out the American chestnut and the European grapevine. To these long-standing threats would now be added new ones, potentially of our own invention.

These past twenty-five years, in the course of which the world community has reached a certain degree of familiarity with the problems of nuclear power, and has undertaken some of the steps needed to contain it as a servant for rather than against human aims, have seen a sustained, remarkable development of molecular biology. For example, Professor Gobind Khorana recently reported the synthetic assembly of a small gene through chemical operations on DNA components. It will be a step of another order of magnitude to extend this technical capability to the synthesis of small viruses, but this surely will be accomplished within the next decade. This procedure will allow an unlimited range of experimental variations of the genetic structure of different viruses, a process which has many important potential applications for human health. It also offers us the prospect of engineering the design of viruses to exquisite detail. Accomplishments like Khorana's have been possible in a small laboratory on an annual research budget which is miniscule compared to weapons hardware. A serious military investment in this area could be expected to outstrip this already breathtaking pace of advance by many fold.

I could mention many other intriguing scientific advances from my own work and that of others, and fear only that my enthusiasm in discussing these details might outrun your patience in hearing about them. I will be glad to engage later in informal discussions on any aspect of molecular biology that may be of interest to you. I will just mention the discoveries of three methods of modifying the genetic structure of microbes: (1) cross-breeding them through what is, essentially, sexual reproduction; (2) inserting new genes carried by a virus, a process called "transduction", and (3) direct manipulation of DNA as a chemical substance, and reintroducing this into microbial cells.

I deeply appreciate the gravity and importance of the work of

this Committee. Its principal significance is, of course, for the security of all the people of the world; and to that it is only a small addition to mention my own moral pre-occupation with whether my own career will have been labelled a blessing or a curse to the humanity from which I spring. This comment may have more force if I offer it as not only a personal testimony but as typical of the dilemma that faces my entire generation of biological research scientists and our younger students at this very moment. I am therefore many times indebted to you not only for your present labours but also for having offered me the privilege of a more personal participation in a process that may yet result in "civilizing" this branch of science.

For many years BW has been given only incidental attention as a subject of diplomatic discussion; for it seemed to have little bearing on the adjustments of power that were the main work of specialists in foreign affairs. However, BW does have something to do with efforts to reduce the barbarity of warfare. BW stands apart from all other devices in the actual threat that it poses to the health and life-expectancy of every human being whether or not he is politically involved in belligerent actions. In a word, the intentional release of an infectious particle, be it a virus or bacterium, from the confines of the laboratory or of medical practice must be condemned as an irresponsible threat against the whole human community.

The Black Death, the great bubonic plague that ravaged Europe in the mid-14th century is in fact a well documented historic example of just this process. The plague first entered Europe in 1346 via the sailors, rats, and fleas on the ships that returned to Genoa after having been expelled from Theodosia in the Crimea where the attacking Tartars had catapulted some of their corpses into the Genoese fortifications. This plague which reduced the population of Europe by at least one-third, would of course, almost surely have made its way West sooner or later, the nature of the disease being quite beyond the comprehension of the medical science of that era.

The Black Death in Europe was only one of many visitations of the plague suffered by Europe during the last 2000 years. We do not know why this one should have been so much more disastrous than many others. The progress of a disease in any given individual is subject to many factors of which only a few are well understood. A large epidemic, involving millions of people spread over time and space, is an immensely more complicated phenomenon about which it is very difficult to make accurate scientific predictions. This combination of very grave potential hazard with a high degree of unpredictability is a peculiar attribute of biological weaponry at its present stage of development. This has a great deal to do with the rational doctrine that so far has placed a relatively low value on its military utility.

The present situation thus might provide the most favourable opportunity for international action to regulate the further development and proliferation of BW. I am convinced we know enough about it to have legitimate concern about its future prospects. Until now no nation appears to have staked its security to any significant degree on BW armaments. I would therefore hope this provides a basis for accord. If we wait until BW has been developed into a reliable armament for use under a range of military doctrine, we must all fear that it could then be too late to disengage important powers from their commitment to it.

If I may return to the Black Death, the main barriers that may today keep bubonic plague from being a great threat in civilized countries are: (1) understanding of and the use of quarantine, (2) the suppression of rats and fleas by general urban hygiene, and (3) the use of modern therapy, especially antibiotics, to control the disease. Each one of these barriers could be breached by further technical developments if a substantial effort were to be applied during the next decade to making the plague bacillus into a weapon.

Other infectious agents might be even more adaptable. Some of man's deadliest enemies are viruses which, like yellow fever, are transmitted by mosquitos or other arthropods. These have the advantage, from a military standpoint, that they may not start a potentially retroactive epidemic in areas where the vector insect does not normally abound. It is already evident that such insect-borne viruses could be applied in the first instance by direct aerial dissemination, with little or no further spread from the first wave of infected targets. Recent reports of airborne or pneumonic rabies, a terrible disease, which as you know is normally spread by the bite of an infected dog or other animal, illustrate this possibility. There is then the danger that, if a large nucleus of people is attacked in this way, further evolution of the virus will occur to give rise to a new form of the disease that does spread from person to person, contrary to the calculations of the attacker. The Black Death itself underwent a similar evolution from the original bubonic flea-borne plague to outbreaks of the far more contagious pneumonic variety.

We have learned in recent years that viruses undergo constant evolution in their own natural history, not only by mutations within a given strain, but also by the natural cross-hybridization of viruses that superficially appear to be only remotely related to one another. Furthermore, many of us already carry viruses in our body cells of which we are unaware for years, and which may be harmless—though they may eventually cause the formation of a tumor, or of brain degeneration, or of other diseases. At least in the laboratory, however, we can show that such latent viruses can still cross-breed with other viruses to give rise to many new forms.

My gravest concern is that similar scientific breakthroughs of a rather predictable kind will be made and their potential military

significance exploited, so as to result in a transformation of current doctrine about "unreliable" biological weapons. We are all familiar with the process of mutual escalation in which the defensive efforts of one side inevitably contribute to further technical developments on the other and vice versa. The mere existence of such a contest produces a mutual stimulation of effort; moreover, there is no practical system of counter-intelligence that will protect secret work for an indefinite period of time from becoming known to others. And the potential undoubtedly exists for the design and development of infective agents against which no credible defence is possible, through the genetic and chemical manipulation of these agents. It is thus clear to me that if we do not do something about this possibility, work will go forward and my fears will become realities.

Permit me, now, to ask a rhetorical question: Can we establish a world order that will, in effect, protect "you", as representatives of the global community, from the subversion of the scientific advances to which my own peers and myself have dedicated their careers?

I wish I could be sure that such a remark would always be received with an understanding of the ironic spirit with which it is uttered. I do not have to tell you of the worldwide attack on science, the flight from reason that has tempted so many young people and makes so many dilemmas for those of us in university life. This generational revolt has probably had its worst impact in countries which have already achieved a degree of affluence, but it is eroding the morale of the young even in those countries whose economic future most depends on their development of a high level of technical and scientific skill. What the youth see as the perversion of knowledge is, I believe, an important aspect of their repudiation of us. Among the undergraduates at my own university, there is no prospect more disheartening than the idea that even health research is subject to exploitation in the most inhumane direction imaginable.

For many years I have advocated that the control of biological warfare be given a special place in international and national initiatives for reasons I have mentioned. I am deeply gratified that President Nixon's announcement (last November 25) which disavowed offensive biological warfare development² has made it possible for me to address these issues in terms fully consistent with the policy of the government of my own country.

As you know, soon after President Nixon's announcement it became apparent that the problem of toxins had been left ambiguous. "Toxins", as the term is understood by biologists, are chemical substances, usually (but not always) proteins of modest molecular size which are by-products of bacterial growth and

² *Documents on Disarmament*, 1969, pp. 592-593.

which may play a lesser or greater role in the disease manifestations of a bacterial infection.

For present purposes we might think of a toxin as a chemical substance which would be unknown to science except for its association with microbial growth and one which has an extraordinarily high lethality per unit weight. Many toxins are nerve poisons, resembling the nerve gases in their effect on the body, but far more potent. For example, the lethal dose of botulinus toxin is about one millionth of a gram. This means that one could easily carry in a despatch case a quantity of toxin sufficient to wipe out the human population, although the image would imply that the human herd would line up for the slaughter. The very high potency of such toxins is certainly a factor in their military potential but may even be outweighed by other considerations, like the possibility of specific immunization of an aggressor force or population.

* * * * *

Even after agreement to eliminate biological weapons, we will still remain very vulnerable to a form of biological warfare which is beyond the reach of any covenant that we can make. This is the warfare practised upon us by nature, the unremitting barrage of infection by old and by new agents that still constitute a very large part of the perils to normal and healthy life.

We have all had vexing, perhaps even tragic, personal experiences with virus infections. You will all recall the global epidemic of influenza that was first identified in Hong Kong about three years ago. This was not a particularly severe form of the virus and its eventual mortality was probably only in the tens of thousands. It is wrong, however, to believe that there is any assurance that the next epidemic of this kind will be as mild; and we have still developed only the most feeble and precarious protection against this threat whose impact is shared by all the nations, but against which very little common defence has been erected.

You will also recall having read from time to time about small outbreaks of mysterious new diseases like "Lassa fever" and the "Marburg virus". These were both extremely dangerous threats; and while much credit must be given to the diligence of the medical people who dealt with the outbreaks, a large element of pure luck was involved in localizing these incidents. We must expect that there are many additional viruses already indigenous to primate and human populations in primitive areas and to which the inhabitants of advanced countries are extremely vulnerable.

Yellow fever is a historically important disease which now belongs in the same category. It is now maintained on earth mainly through an animal reservoir of infection, in the monkeys in tropical jungles. Urban populations are now protected from yellow fever by campaigns to abolish the fever-carrying species of mosquitos in South America and by the availability of excellent

vaccines in advanced countries. Mosquito species very well capable of transmitting yellow fever are, however, abundant in South Asia and the accidental introduction of yellow fever, for example, into India would be a human tragedy of catastrophic dimensions. Specialists in epidemiology are quite puzzled that this accident has not already eventuated and we have no good explanation for this good fortune. I would not mention facts like these which might stimulate psychotic imaginations if they were not already well known. My purpose is not to suggest the vulnerability of the Asian continent to biological military attack but rather to point out immense gaps in the pattern of international co-operative defences that should be mounted but which have a relatively feeble standing in the present-day world. This is in no way a derogation of the splendid efforts of the World Health Organization which is centred here in Geneva but an indication of the limitations of its budget and a suggestion that much more needs to be done and could be done with resources that might be given over to biological work in the future.

Countries which are undergoing a transition in the development of their agriculture are vulnerable to analogous threats in biological warfare directed against crops as distinguished from human targets. The introduction of new crop varieties, that has had all of the human benefits attached to the expression "the green revolution", also means that the food supplies of vast territories are now committed to specialized strains of wheat, rice, and so forth. These are now newly vulnerable to destruction by plant pests of either natural or artificial origin. A potentially tragic outbreak of "coffee rust" is at this moment a serious threat to the agriculture and economy of Brazil.

The promulgation of an international agreement to control biological warfare in a negative sense should, therefore, be accompanied by steps urgently needed to build positive efforts at international co-operation, a kind of defensive biological research against natural enemies of the human species.

One of the best assurances that any country might have that the microbiological research of its neighbours was directed towards human purposes would be constantly expanding participation in international health programmes. Any country that publicly and avowedly subscribed to the total renunciation of secret BW research might conceivably be able to continue clandestine efforts without revealing their substantial *content*. It would, however, have great difficulty in maintaining such an effort, at any substantial level or quality of operation, while still keeping its very *existence* secret. This applied especially to those among its own citizens who are specialists in health-oriented research and who are deeply involved in furthering health research activities within the framework of the international community. Therefore, besides the obvious direct health benefits of expanded international co-operation we would also be rewarded by a higher level of mutual

assurance that every party was indeed living up to the spirit of its obligations under a BW convention.

In conclusion, let me say that some of the speculations I have mentioned are ones which all of us must fervently hope will never materialize. But it would seem to me both foolish and arrogant to assume that our good will alone, without concrete arrangements, will serve to forestall the further development, proliferation and possible eventual recourse to what surely is one of the most ghastly methods of warfare imaginable.

As a scientist whose research career has centred on the genetics of bacteria, I have a profound personal interest in efforts being made in this forum to minimize the risk that infectious disease will become a routine weapon in future conflicts, civil or international. You have heard reasons, that I believe are compelling, for promptly reaching a ban on the development, production, proliferation or use of biological weapons. I will be indebted to you for this opportunity if I can return to my laboratory with the hope of having made the most modest contribution to the fulfilment of the urgent task before you.

Good luck.

Report by the International Atomic Energy Agency to the Secretary-General: Recommendations of the Conference of Non-Nuclear-Weapon States, August 6, 1970¹

INTRODUCTION

1. In 1969 the Agency submitted a report to the Secretary-General regarding the action it had taken on the recommendations contained in certain resolutions adopted by the Conference of Non-Nuclear-Weapon States (CNNWS).²

2. In Resolution 2605 A (XXIV) the General Assembly invited the Agency to report to the Secretary-General on further action taken by it on these recommendations.³ The present report is designed to meet that request. It should be read in conjunction with the main part of this year's comprehensive annual report of the Agency to the General Assembly, which covers the same period and the same subjects in considerably greater detail.

3. Because of this identity of period and topic, and since most of the relevant recommendations of CNNWS are similar to the

¹ GC(XIV)/INF/120, Aug. 6, 1970. The report was approved by the IAEA Board of Governors in June 1970 and distributed to the General Conference on Aug. 6, 1970. It was transmitted to the Secretary-General on Aug. 31, 1970.

² The IAEA report appears in *Documents on Disarmament, 1969*, pp. 350-373. For the CNNWS resolutions, see *ibid.*, 1968, pp. 688 ff.

³ *Ibid.*, 1969, pp. 723-725.

Agency's own programme objectives (e.g. simplification of safeguards, full exchange of nuclear information, promotion of the use of nuclear explosives for peaceful purposes), the present report inevitably repeats, in somewhat different presentation, the information already communicated to the General Assembly in the annual report. The Agency wishes to draw the General Assembly's attention to this extensive duplication and expresses the hope that this will be borne in mind should proposals be considered for further special reports.

4. The most significant development for the Agency during the period covered by this report was the entry into force on 5 March 1970 of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).⁴ The Agency is not only directly affected by the provisions of Article III of NPT which require non-nuclear-weapon States Parties to conclude safeguards agreements with the Agency, but also by Articles IV and V which contain important commitments regarding the increased international exchange of information, equipment and materials for the peaceful uses of atomic energy, as well as to ensure that non-nuclear-weapon States have access to the benefits of the peaceful applications of nuclear explosives. The initial work that the Agency has done to prepare itself for the assumption of safeguards responsibilities in connection with NPT was described in paragraphs 18-41 of the first report. In February 1970 the Board of Governors of the Agency discussed the steps it should take so as to enable the Agency to carry out its safeguards responsibilities in the light of NPT. In April 1970 the Board decided to establish a Safeguards Committee (1970) on which any Member State may be represented if it so desires. The Committee will advise the Board on the Agency's safeguards responsibilities in relation to NPT, and in particular on the content of the agreements that will be required in connection with the Treaty.

5. With regard to Articles IV and V of NPT, it may be noted that:

(a) For the first time in many years there has been a sizable increase in the resources available to the Agency to meet requests for technical assistance under the regular programme. The number of projects that the Agency is executing for the United Nations Development Programme (Special Fund and Technical Assistance components) (UNDP(SF) and UNDP(TA)) is also slowly increasing as Governments of developing countries give a higher priority to nuclear energy projects; and

(b) The first international meeting on the peaceful applications of nuclear explosives was held at the Agency's Headquarters in March 1970. It attracted wide interest and inaugurated a significant world-wide exchange of information which will be taken further in a series of more specialized meetings.

⁴*Ibid.*, 1968, pp. 461-465.

6. The present report will be brought to the attention of the Agency's General Conference at its fourteenth (1970) regular session at the same time as the draft of the Agency's annual report to the General Assembly. Relevant action taken by the General Conference will again be described in the supplement to the Agency's annual report. The General Assembly's attention is also drawn to a separate special report that the Agency is submitting pursuant to General Assembly Resolution 2605 B (XXIV) on the progress of the Agency's further studies and activities connected with nuclear explosions for peaceful purposes under appropriate international control.⁵

AGENCY SAFEGUARDS

7. During the year further progress has been made in improving and simplifying the Agency's safeguards procedures to be applied, thus meeting the objectives recommended by CNNWS and set out in NPT.

8. The Safeguards Committee (1970) began to meet on 12 June with the participation of some 50 Member States. Its most urgent task is to make every effort to provide the Board during the month of July with an initial report containing advice on agreements, the negotiation of which is required to begin within 180 days of the original entry into force of NPT. The Committee was also requested to discuss the problem of safeguards financing at the earliest possible moment after it had commenced its work.

9. A safeguards system analysis is being carried out by the Secretariat which is intended to clarify the relationships between the efficacy of safeguards, manpower requirements, costs, frequency and intensity of inspections, and to identify and avoid redundancies in the safeguards operations; in other words, to show quantitatively how and when the safeguards effort of the Agency should be deployed with maximum effectiveness in deterring diversion at minimum cost. The analysis is therefore of fundamental importance to the long-term planning of safeguards activities. An integral test programme on safeguards procedures has been designed to collect information and experience necessary for the further elaboration of detailed procedures. "Integral testing" is the full-scale application of safeguards to materials in a facility during a significant period of time, for testing purposes.

10. The groups of consultants mentioned in last year's report have completed their studies of the impact of NPT on the Agency's safeguards work and of the manner in which the Agency should apply safeguards to the entire range of nuclear activities of a country, so as to ensure that the safeguards are effective, economical and widely acceptable. The consultants' reports, as well as the recommendations of two important international panel meetings, have enabled the Agency to finalize the programme for

⁵ The resolution appears *ibid.*, 1969, pp. 725-727. For the IAEA report, see *post.*, pp. 446 ff.

its systems analysis referred to above, and have provided overall guidance for the safeguards programme.

11. With valuable help from institutes in Member States, considerable work has been done on developing instruments and devices to facilitate and reduce the cost of safeguards and increase their credibility. The Agency and the institutes concerned are testing prototypes under plant conditions. Safeguards equipment should, if possible, be portable or at least movable, and to develop it the Agency is investigating means of identifying and measuring special nuclear materials at various stages of their use in the fuel cycle.

Co-operation with regional bodies

12. The first General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America, which met in Mexico City from 2-9 September 1969, recommended that the parties to the Tlatelolco Treaty⁶ should start negotiations with the Agency as soon as possible for the application of safeguards pursuant to Article 13 of that Treaty and asked the Agency to elaborate a model agreement. In doing so account will have to be taken of the broad international responsibilities that the Agency will have under NPT and the fact that many States Parties to the Tlatelolco Treaty are also Parties to NPT; hence this task is to be undertaken in parallel with the preparations under NPT.

NUCLEAR INFORMATION

13. CNNWS called upon the Agency "to continue its utmost efforts for compilation and dissemination of public information concerning the peaceful uses of nuclear energy". Last year's report gave an account of the manner in which this task was being carried out. The Agency's expanding library services and its scientific conference and publications programmes were described. Reference was made to the fact that in 1970 a computer-based International Nuclear Information System (INIS) would be brought into operation. INIS began operation in April-May 1970.

14. By 30 June, 35 countries, including 18 developing countries and four international and regional organizations had committed themselves to participate by providing "input" to INIS. This input consists of descriptions, abstracts and in some cases full texts of all new publications on nuclear⁷ subjects, issued in the country or region or by the organization concerned. Each month the Agency merges the input received and distributes to participants a master file of descriptions both on magnetic tape and in an announcement bulletin. Abstracts and full texts are also merged into a master file and distributed on microfiches. In the

⁶Documents on Disarmament, 1967, pp. 69 ff.

⁷The term "nuclear" has been given a limited meaning initially so as to keep the subject scope small, at least during the early stages of INIS [footnote in original].

first three months, a total of 926 nuclear publications were described.

15. CNNWS also asked the Agency "... to study appropriate international arrangements to facilitate the exchange of scientific and technical information which has commercial or industrial value and is not publicly available"⁸ In last year's report the Agency stated that it intended to consult various Member States and international bodies to see whether new mechanisms might be created for the transfer of such information.

16. The Director General subsequently consulted those Member States and the regional organizations that were most likely to have an interest in the matter, particularly Member States in which large nuclear programmes may have led to the accumulation of industrial information under commercial protection. In certain cases the Member States in turn consulted representatives of private corporations. The problem of access to non-patented, but commercially valuable technical information is not by any means confined to the nuclear industry. The information in question is often of great economic value. The Agency's consultations have shown that no workable and acceptable scheme for dealing with this matter by intergovernmental action is likely to emerge. It can probably best be tackled either bilaterally or within the framework of close regional arrangements.

17. The nuclear-weapon States were also invited by CNNWS to advise the Agency "as to the possibility of their declassifying scientific and technical information as soon as there is no longer any reason for its classification on national security grounds".⁹ While no specific advice on this matter has been received, it will be seen from the separate report on peaceful nuclear explosions that the Agency's programme of meetings in relation to peaceful uses of nuclear explosives appears to have encouraged the dissemination of information on an important new subject. Moreover, the Fourth International Conference on the Peaceful Uses of Atomic Energy to be held by the United Nations in Geneva in September 1971, and for which the Agency will bear scientific responsibility, will provide a further stimulus to the process of declassification and an important opportunity for exchanging such information.

THE USE OF NUCLEAR EXPLOSIVES FOR PEACEFUL PURPOSES

18. Pursuant to General Assembly Resolution 2605 B (XXIV) a separate report on this subject is being submitted to the Secretary-General by the Agency.¹⁰

⁸ *Documents on Disarmament*, 1968, p. 679.

⁹ *Ibid.*

¹⁰ See *post*, pp. 466 ff.

FINANCE FOR NUCLEAR ENERGY ACTIVITIES

Financing of major nuclear projects

19. In Resolution GC(XIII)/RES/256 the Agency's General Conference requested the Director General to make a comprehensive study of the likely capital and foreign exchange requirements for nuclear energy projects in developing countries during the next decade and of ways and means to secure financing for them.

20. In June the Board approved the first part of this study for submission to the General Conference and urged Governments to make additional information available to the Director General to enable him to complete it. As this document is also being submitted to the Secretary-General, a detailed report is not included here. It may briefly be noted, however, that on the basis of information so far available, developing countries expect to install 20 000 to 25 000 MW(e) of nuclear capacity between 1970 and 1980 requiring foreign exchange resources of three to four billion dollars. Between 1980 and 1985 an additional 25 000 to 35 000 MW(e) is expected to be commissioned with probable foreign currency requirements of from four to six billion dollars.

The Agency's regular programme of technical assistance

21. Since the Agency's first report to the Secretary-General, two significant trends have developed in this programme, which is financed from voluntary contributions of cash to the Agency's General Fund.¹¹ The first development is that in 1970 more Member States than ever before are expected to pledge such voluntary contributions, and that more of these pledges will be equal to or larger than the percentage share that the States concerned pay to the Agency's assessed Regular Budget. In particular, the United States will raise its voluntary contribution to the percentage level of its assessed contribution, i.e. by approximately \$150 000. It may be recalled that in 1969 the voluntary contribution of the Union of Soviet Socialist Republics to the General Fund was increased from 100 000 to 150 000 roubles, and there were also significant increases in the contributions from Belgium, Brazil, Hungary, Japan, Poland, Spain, Thailand and the United Kingdom.

22. The net effect of these developments is that voluntary contributions are expected in 1970 to reach 83.4% of the \$2 million target, a considerably higher percentage than ever before. The trend is analysed in Table A below.

¹¹ The Agency's Statute provides that all voluntary contributions of cash should be paid into a General Fund, which is then used to finance the Operational Programme [footnote in original].

TABLE A
Voluntary contributions

Year	Established target (in millions of dollars)	Cash contributions pledged to the General Fund				
		Amount \$	Percentage of target	Shortfall \$	Number of Members pledging	Percentage of Members pledging
1959	1.5	1 183 044	78.9	316 956	41 of 70	58.6
1960	1.5	996 103	66.4	503 897	36 of 74	48.6
1961	1.8	1 261 200	70.1	538 800	37 of 77	48.1
1962	2.0	1 380 470	69.0	619 530	44 of 80	55.0
1963	2.0	1 437 394	71.9	562 606	40 of 85	47.1
1964	2.0	1 374 447	68.7	625 533	42 of 89	47.2
1965	2.0	1 330 589	66.5	669 411	55 of 94	58.5
1966	2.0	1 277 416	63.9	722 584	61 of 96	63.5
1967	2.0	1 431 823	71.6	568 177	62 of 98	63.3
1968	2.0	1 368 680	68.4	631 320	63 of 99	63.6
1969	2.0	1 492 819	74.6	507 181	67 of 102	65.7
1970 ¹²	2.0	1 623 033	81.1	376 976	70 of 103	67.9
1970 ¹³	2.0	1 672 933	83.6	330 067	74 of 103	71.8

23. As a result of this encouraging development it is expected that the General Conference will raise the target from \$2 million, at which level it stood from 1962-70, to \$2.5 million in 1971.

24. The United States has also pledged to increase its contributions in kind (equipment grants, "cost-free" fellowships and experts, financial assistance to training courses and study tours) to the technical assistance programme to an estimated value of \$750 000 in 1970 compared with \$400 000 in 1969. There have also been significant increases in contributions in kind by Denmark, France, the Federal Republic of Germany, India, Mexico, the Netherlands, Spain and Sweden.

25. A further encouraging development has been the conclusion of an agreement in January 1970 with the Government of Sweden for co-operation in providing assistance to developing countries. It is expected that funds for selected nuclear projects will be made available by the Swedish International Development Authority from 1970 onwards, thereby significantly augmenting the resources available for aid to a number of countries. The Agency is exploring the possibility of similar arrangements with other technically advanced countries.

26. The second development, reflected in Table B and the chart below, has been a change in the balance of the regular technical assistance programme, which has enabled the Agency to meet a larger proportion of the requests it receives for experts and equipment. This change was made possible by reducing the share of available funds allocated to the training part of the programme, which, in turn, will be compensated for by the value of the fellowships made available to the Agency cost-free by Member States.

¹² As at 30 June 1970.

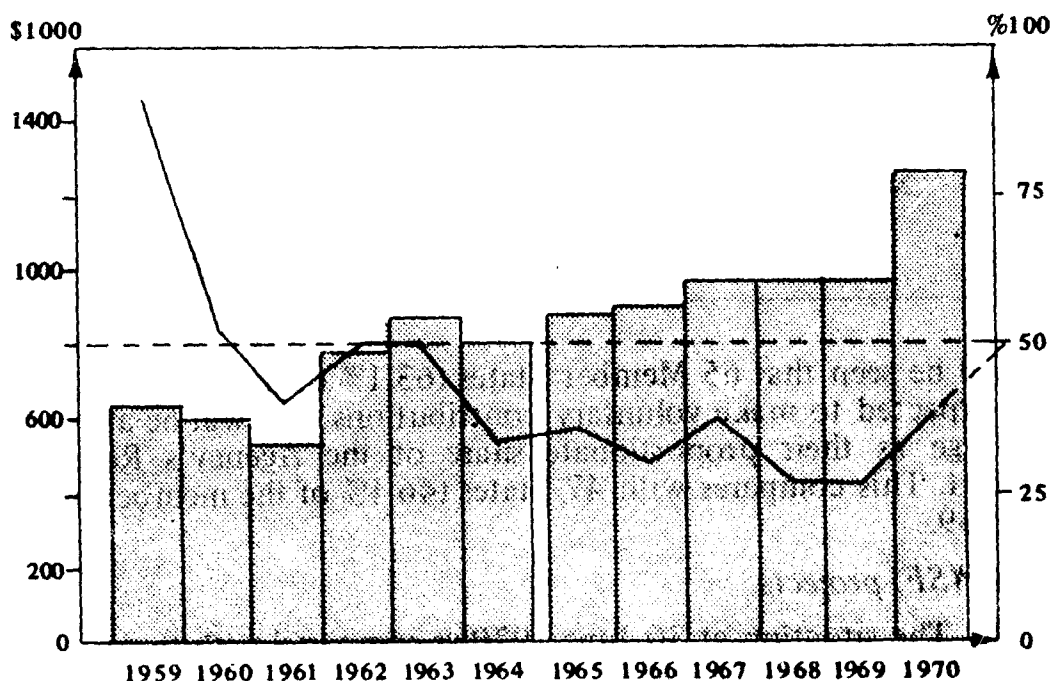
¹³ Expected total as at 31 December 1970.

TABLE B

Technical assistance (experts and equipment) approved compared with requests

Year	Value of requests received \$	Value of assistance approved \$	Percentage of requests met
1959	690 000	619 400	89.6
1960	1 150 000	599 200	52.1
1961	1 277 600	513 100	40.4
1962	1 530 000	757 600	49.5
1963	1 750 000	857 800	48.9
1964	2 400 000	804 600	33.3
1965	2 500 000	874 000	35.0
1966	3 000 000	901 600	30.0
1967	2 600 000	975 000	37.5
1968	3 600 000	977 000	27.1
1969	3 700 000	977 000	26.4
1970	3 400 000	1 250 000	36.8

The Agency's regular programme of technical assistance: 1959-1970



Value of assistance approved (in thousands of dollars).



Percentage of expert/equipment requests met.

27. Despite this improvement it seems likely that in 1970 about one third of the total membership of the Agency will still not pledge any voluntary contributions, and that five Member States that pay relatively large shares of the Regular Budget will pledge an aggregate amount that will be about \$270 000 below the amount they would have pledged if they had been prepared to pay

the same share to the General Fund. The position as forecast at the end of 1970 is shown in the table below.

TABLE C
*Estimated pledges of voluntary contributions for 1970
(actual as of 30 June 1970, plus four Member States
which normally pledge during the year)*

Number of Member States	Rate at which pledge for 1970 has been made	Assessment ratio %	Required by assessment ratio \$	Amount pledged \$	Shortfall or (surplus) \$
23	In excess of assessment ratio	15.50	310 000	342 649	(32 649)
42	At assessment ratio	52.44	1 048 800	1 048 800	—
4	Below assessment ratio by \$7500 or less (\$400 to \$7500)	1.43	28 600	18 600	10 000
5	Below assessment ratio by \$13 000 or more (\$13 000 to \$98 333)	26.59	531 800	262 884	268 916
74	Sub-total	95.96	1 919 200	1 672 933	246 267
29	No pledges anticipated for 1970	4.19	83 800	—	83 800
103		100.15 ¹⁴	2 003 000	1 672 933	330 067

It will be seen that 65 Member States (63.1% of the membership) are expected to make voluntary contributions that will be at least as large as their proportionate share of the Agency's Regular Budget. This compares with 47 States (46.1% of the membership) in 1969.

UNDP(SF) projects

28. The situation at 30 June 1970 as compared with that at 30 June 1969 is shown below:

	30 June 1970	30 June 1969
Number of UNDP(SF) projects being executed by the Agency (including projects approved but not yet started)	4	2
Total cost of such projects:		
UNDP contribution	\$3 188 360	\$2 379 160
Government contribution	\$4 361 080	\$3 653 280

¹⁴ Percentage exceeds 100% because one State became a Member of the Agency after the assessment ratio had been established.

FUND OF SPECIAL FISSIONABLE MATERIALS

29. In its report the Agency informed the General Assembly of the status of the Agency's existing fund of special fissionable materials, and reported that additional supplies of such materials can be expected to be available to Member States, through the Agency, on the same terms and conditions as they are available on a bilateral basis.¹⁵ The Agency also informed the General Assembly of the action taken by the Agency's General Conference in September 1969 on this subject.¹⁶

30. It may be added that during the thirteenth (1969) regular session of the General Conference the delegation of Mexico indicated that if a decision were taken in favour of a nuclear power station to be installed in Mexico the Government intended to conclude a contract with the Agency for the supply of nuclear fuel for a 600-MW(e) power reactor; this would be the first supply through the Agency of fuel for a nuclear power station. Preliminary consultations are proceeding with the Mexican authorities in this connection. On 27 November 1969 the Agency concluded an agreement with Finland and the United States of America covering the supply of special fissionable materials over a five-year period - the longest period so far covered by an Agency supply agreement - for a 250-kW research reactor.

COMPOSITION OF THE BOARD OF GOVERNORS

31. It will be recalled that at the end of September 1968 the Agency's General Conference requested the Board of Governors to review those provisions of the Statute which lay down how the Board is to be constituted and to function. It was at that time that CNNWS recommended that representation on the Board be broadened. The General Assembly has already been apprised of the various steps that the Board consequently took in the ensuing years, leading up to a further request by the General Conference that the Board should make every effort to present a draft amendment of the relevant statutory provisions—that is, those contained in Article VI - in time for consideration by the Conference in September 1970.¹⁷

32. The Board's Ad Hoc Committee of the Whole which is dealing with the matter held a further meeting early in December 1969, two meetings in February 1970 and another meeting early in June 1970. Over this period it had before it a total of eight suggestions for changing the Board's composition, several of which were modified versions of suggestions first made last year.

33. Subsequently, three formal proposals for amendment of the Statute were communicated to the Director General under Article XVIII. A thereof. The Board began their consideration at

¹⁵ A/7677/Add. 2.

¹⁶ A/7677/Add. 1.

¹⁷ *Documents on Disarmament*, 1969, p. 372; A/7677/Add. 1 and 2.

its meetings in June this year, deciding to meet again on 7 July with a view to the formulation of observations upon each of them, as required under Article XVIII.C.(i). Before the end of June two more such proposals were received by the Director General, and it is foreseen that in July the Board will give its attention to them also.

Czechoslovak Working Paper Submitted to the Conference of the Committee on Disarmament: Prohibition of the Development, Production, and Stockpiling of Chemical and Bacteriological (Biological) Weapons and on the Destruction of Such Weapons, August 6, 1970¹

The resolution of the XXIV General Assembly of the United Nations 2603 (XXIV) has expressed the conviction that the "prospects for peace throughout the world would brighten significantly if the development, production and stockpiling of chemical and bacteriological (biological) agents intended for purposes of war were to end and if they were eliminated from all military arsenals" and therefore requested the Conference of the Committee on Disarmament "to submit a report on progress on all aspects of the problem of the elimination of chemical and bacteriological (biological) weapons to the General Assembly at its twenty-fifth session".²

The Czechoslovak delegation considers it necessary to point out the following aspects of the prohibition of chemical and bacteriological weapons:

1. Chemical and bacteriological weapons form one whole. Prohibition of one type of these weapons could incite the equipment of armies with the other type of weapons. Both categories of these warfare means as a whole create the possibility of a special warfare—the so-called "toxic war" in the terminology of some military experts (cf. for example, Rothschild, *Tomorrow's Weapons*). The basic characteristics of the two categories of agents is their non-selectiveness, small foreseeability of their effect, impossibility of an effective protection of population, etc. These properties evoke a general moral opposition to chemical and bacteriological weapons as a whole.

Chemical and bacteriological weapons form a special group of means of warfare aimed at:

- temporary disablement of men,
- or their liquidation without affecting other (material) values,
- or selective extermination of farm animals or plants.

¹CCD/299, Aug. 6, 1970.

²*Documents on Disarmament*, 1969, pp. 717-719.

Should individual agents (biological as well as chemical ones) be effectively used for military purposes, they would have to be incorporated in a "weapon system" (cf. Secretary-General's report A/7575/Rev.1, page 9).³

The "weapon system" is the same for both categories of weapons: analogical ways of spreading, means of delivery to the target, verification of their effectiveness in the field, appropriate storing, personnel training, principles of protection, etc. Therefore both types of weapons are usually concentrated in one branch of army.

Separate prohibition of one type would therefore permit the existence and development of the whole system which could be completed with the other type of weapons at any time and without any greater difficulty.

The tendency to separate chemical and bacteriological weapons, motivated by allegations that they are completely different, can therefore be explained only by political and military considerations of some countries and is incompatible with the approach that has been applied in all international negotiations on this question, namely in the Geneva Protocol of 1925,⁴ in the Paris Treaty of 1954,⁵ in the Austria Treaty of 1955,⁶ in both draft treaties on general and complete disarmament submitted by the USSR and the United States of America respectively,⁷ and in military manuals and considerations of all countries.

2. Bacteriological and chemical weapons represent two categories of means of warfare which can be defined by their origin, way of interaction with organism and by other characteristic properties. Classification of some substances is uncertain: for example bacterial toxins (biological substances by their origin, chemical by the character of their effect on organisms) are the best-known representatives of this group today, but the number of such substances may increase as the time goes on. Better knowledge of the effects of the agents we know today may lead to changes in their classification, or new substances with uncertain (mixed) characteristics may be synthesized, etc. It is known, for example, that nucleic acids, which are carriers of virus activity and can cause disease themselves, can be isolated from pathogenic viruses. Detailed enumeration of agents of both categories, having a lasting or sufficiently long validity, is impossible due to the permanent progress of knowledge and to the expansion of both categories.

The determining principle for classifying biological agents or chemical substances as bacteriological or chemical weapons is, however, their military use against men, farm animals or plants.

³*Ibid.*, p. 275.

⁴*Ibid.*, pp. 764-765.

⁵*American Foreign Policy, 1950-1955: Basic Documents*, vol. I, pp. 979 ff.

⁶*Ibid.*, pp. 643-675.

⁷*Documents on Disarmament, 1965*, pp. 111-140.

3. Bacterial toxins are by the way of their production and by the character of their effect closely related to other poisons and are normally—despite their biological origin—listed under chemical weapons (cf. Secretary-General's report A/7575/Rev.1).⁸ Toxins do not differ from other poisons used as a chemical weapon. If their effect and military use are the same as those of other poisonous substances, this proves that a dividing line cannot be drawn between biological and chemical weapons. Separation of toxins could be an attempt to a new treatment of chemical and bacteriological weapons, that is, to their division into deadly and temporary disabling ones (defoliants, herbicides, etc.).

Separation of toxins has political aspects connected with new concepts of military strategy of some countries. Such a development would not lead to any solution—on the contrary, it would make the whole question even more complicated.

4. All studies dealing with the possible way of verification as regards the production of chemical and bacteriological weapons show that this question is very complicated, that it cannot be solved by purely technical methods on international scale. Difficulties connected with the verification problem, however, must not become a determining factor for the possibility of an agreement which would require, above all, a political decision. This idea is also contained in the report of SIPRI, 1970, where in its Part IV it is stated that in the last few years it has become increasingly true to say that the real obstacles to disarmament are the momentum of the arms race and the political problems of stopping it, not the technical problems of verification.⁹

If the question of verification is not to become an artificial brake of the treaty by bringing in complicated technical problems, it is necessary that the parties to the treaty should agree upon such a procedure which would be based on a certain degree of trust.

National self-inspection and supervision seem to be the most suitable fundamental methods of verification. Each State would adopt, in conformity with its constitutional procedure, the necessary legislative and administrative measures concerning the prohibition of the development, production and stockpiling of chemical and bacteriological weapons and the destruction of such weapons. National self-supervision could be carried out by national bodies having an international reputation (for example, Academy of Sciences, etc.) or in other forms.

Problems arising in connexion with the verification would be clarified at consultations between the parties to the treaty. Complaints on the violation of the treaty would be considered by the Security Council which would adopt the most suitable procedure for this purpose.

⁸*Ibid.*, 1969, p. 278.

⁹Stockholm International Peace Research Institute, *The Problem of Chemical and Biological Warfare* (prov. ed.), pt. IV, p. 1.

Canadian Working Paper Submitted to the Conference of the Committee on Disarmament: Verification of Prohibitions of the Development, Production, Stockpiling, and Use of Chemical and Biological Weapons, August 6, 1970¹

1. The central problem area in the negotiations to strengthen and to supplement the Geneva Protocol of 1925² by prohibiting the development, production and stockpiling of chemical and biological weapons, is verification. Clearly, the technical and political considerations related to the negotiation of verification procedures are intrinsically interdependent. Although science may provide assistance in devising methods of detection, surveillance and data analysis, the political intentions of all countries concerned will be the decisive factor in resolving the verification problem.

2. Every international agreement involves the acceptance, by parties to the agreement, of an element of risk of evasion or violation of the agreement. In arms control agreements this risk is directly related to vital security interests. Any country contemplating a violation of an arms control agreement would undoubtedly estimate the probability of detection or of successful evasion of any agreed prohibitions, and the adverse consequences resulting from verification of such a violation. The verification regime should serve as a deterrent to any violation. The risk that some party might successfully evade or violate an agreement should be reduced to the lowest possible level through verification procedures that are adequate and politically acceptable.

3. Verification procedures which are adequate for the prohibition of chemical and biological warfare will have to be complex, sophisticated and as reliable as can be conceived by utilizing modern data-processing methods. The relative ease with which chemical or biological weapons can be acquired through clandestine development, production and stockpiling renders detection of contravention of a ban on chemical and biological weapons particularly difficult.

4. The verification of a prohibition of chemical warfare involves difficulties of a different dimension from those encountered in the prohibition of biological warfare because of the widespread use in commercial industry of many chemicals which can also be used in the production of chemical agents of warfare. Although there are some common integers, many more are unique to each type of warfare.

5. Verification by complaint procedure as proposed in the British draft convention³ is, at present, probably the only feasible approach to supplementary prohibitions of biological warfare.

¹ CCD/300, Aug. 6, 1970.

² *Documents on Disarmament*, 1969, pp. 764-765.

³ *Ibid.*, pp. 431 ff.

This type of warfare is at a relatively early stage of development; moreover, there is no evidence that biological agents have ever been used as modern military weapons, and their utility as a weapon is open to question. Efforts to devise verification mechanisms other than those involved in the investigation of complaints concerning use, development, production or stockpiling of biological weapons seem technically futile because of the high risk of undetected evasion of any other procedures that might be promulgated. In the light of all these factors a political decision by governments accepting the risks inherent in verification through a complaint procedure for biological warfare would appear to be the most logical solution.

6. Different criteria must be considered in relation to chemical warfare which has been used extensively during this century and has attained a relatively sophisticated degree of development. Chemical weapons or components of them are known to be stockpiled in the arsenals of a number of countries and their potential uses in warfare are not in question.

7. Virtually all of the working papers submitted to the Committee to date concentrate on efforts to overcome the difficulties in verification for chemical weapons; they are postulated on the apparent consensus that the prohibition of the development, production and stockpiling of chemical and biological weapons cannot be verified by national means alone and that there is a requirement for some "international" procedures.

8. Within and beyond the broadly accepted point of view that verification is the crux of the problem and that international procedures for this purpose are required, there is a wide array of opinions and suggestions, some procedural and some substantive, ranging from proposals for verification by challenge to arguments for on-site inspection. Without attempting to interpret these views, the following represents a summary of the various proposals put forward to date as an indication of the types of approach which have been suggested.

(a) The draft convention on biological warfare proposed by Britain specifies verification procedures that call for any complaint concerning use of biological warfare to be lodged with the Secretary-General of the United Nations and any other complaint concerning breach of the convention to be lodged with the Security Council. Complaints of all kinds would be investigated immediately and a report would be submitted to the Security Council.

(b) The draft convention proposed by the USSR and its allies envisages an "obligation to consult and co-operate in solving questions which may arise in connexion with the observation of the provisions of the present convention". A separate article notes that "each State party to the convention shall be internationally responsible for compliance with its provisions by legal and

physical persons exercising their activities in its territory and also by its legal and physical persons outside its territory".⁴

(c) Hungary, Mongolia and Poland introduced an amendment to the Soviet-sponsored draft convention providing for complaints of alleged violation of the convention to be lodged with the United Nations Security Council which would undertake any necessary measures to investigate complaints.⁵

(d) Sweden has presented suggestions based on the concepts of "open information and internationalization" and has outlined a system of verification by challenge and of the obligations on parties with respect to verification which would be incorporated in a comprehensive convention.⁶

(e) Yugoslavia has suggested a systematic elaboration of legal measures for national renunciations and controls, declarations and analysis of open information as a basis for further controls and international measures to be taken in cases of suspicion or of actual violations.⁷

(f) Mongolia has suggested that special government agencies might be established to enforce compliance with prohibitions on chemical and biological warfare in a manner similar to that in the 1961 Single Convention on Narcotic Drugs.⁸

(g) Japan has proposed that a group of experts study various technical aspects of verifying a ban on chemical and biological weapons.⁹ It has also elaborated a complaints procedure through a roster of experts on call by the United Nations Secretary-General and proposed other procedures based on possible checkpoints in the weapons production cycle.¹⁰

(h) A USA working paper on the relationship between chemical weapons and peaceful chemical production deals with one of the specific problems to be overcome in the establishment of satisfactory verification procedures and concludes that off-site observation is inadequate.¹¹

(i) An Italian working paper outlined a negotiating process for further detailed explorations of the problem of verification of any convention or conventions.¹²

(j) Morocco has proposed a comprehensive agreement prohibiting chemical and biological warfare with separate verification procedures for biological and chemical weapons. Verification procedures for biological weapons would be included in the treaty; verification procedures for chemical weapons would be negotiated

⁴*Ibid.*, pp. 455-457.

⁵*Ante*, p. 140.

⁶*Ante*, pp. 132-140.

⁷CCD/PV.465, pp. 14-19.

⁸The Mongolian statement appears in CCD/PV.464, pp. 16-21. For the narcotic convention, see 18 UST 407.

⁹*Documents on Disarmament*, 1969, p. 412.

¹⁰CCD/PV.456, pp. 26-29.

¹¹*Ante*, pp. 323-326.

¹²*Ante*, pp. 270-272.

in a prescribed period of time and then attached to the Convention as a supplementary document.¹³

9. Even a cursory analysis of these proposals, which merit the most careful consideration, reveals that in the establishment of any adequate verification system, a combination of national and international procedures will be required. Various proposals relating to verification of a ban on chemical weapons urge the development of some monitoring system based on economic information. Others suggest the exploration of the sources of all available data—both that which has been published or is freely available, and that which governments would be prepared to make available. Compilation and collation of this information in a coherent form would serve as a useful first step in the development and negotiation of agreed verification procedures. For these purposes various relevant questions might serve to differentiate between aspects on which adequate information may be already available and other areas where special procedures may have to be devised.

10. It is evident that additional information is needed to facilitate the examination of the complex political and technical problems involved in verifying a ban on the development, production, stockpiling and use of chemical and biological agents of warfare. If such information could be made available, it would assist in developing a consensus concerning which measures to strengthen and supplement the Geneva Protocol could be negotiated. With this view in mind, member governments might consider the following questions:

A. National Policy and Controls

(1) Some governments have made declarations concerning their present policies on the development, production and stockpiling of chemical and biological weapons or agents of warfare and their views concerning the right of retaliation retained through reservations they may attach to the Geneva Protocol of 1925. Would other governments be willing to state or present their policies or views on these issues?

(2) What national controls are already in force governing the development, production, stockpiling or use of chemical and biological agents that are capable of being used or converted to use in the development or production of chemical or biological weapons?

B. Chemical Warfare

I. Production

(1) Are annual production figures for the years 1968 and 1969 published or readily available for the following chemicals: phos-

¹³ *Ante*, pp. 341-342.

phorus, phosphorus pentasulphide, phosphorus pentachloride, phosphorus trichloride, phosphorus oxychloride, dimethylphosphite, methylphosphonic dichloride, diethylamino ethyl alcohol, pinacolyl alcohol, carbonyl chloride (phosgene), hydrogen cyanide, cyanogen chloride, thiodiglycol, sulphur dichloride, ethylene, all organosphosphorus compounds with a toxicity less than 200 micrograms per Kg intravenously?

(2) Is information concerning end-products of these chemicals available and are governments prepared to collect and provide such data?

(3) Is governmental approval or licensing required for the production of any of the above chemicals or for products using these chemicals in their production?

(4) Is it feasible to obtain information concerning all governmental and non-governmental facilities producing or using any of the above chemicals?

II. Stockpiling of Chemicals

(1) Are figures available for 1968 and 1969 on quantities of the above chemicals or end-products that are stockpiled in the countries concerned?

(2) Would governments be prepared to provide a list of locations where any of the above chemicals or end-products derived from them are stockpiled?

(3) Are export or import permits or declarations required and if so are any of the above chemicals or end-products derived from them imported or exported from the country?

(4) Is it possible to identify the importer or exporter?

(5) What safety regulations are applicable to the production, stockpiling and transportation of any of the above chemicals?

III. Research and Development

(1) Are the locations and descriptions of government controlled facilities for research and development of chemical agents and similar information concerning all non-governmental research and development facilities available or can these be provided?

(2) Under what conditions would governments be willing to consider the cessation of all training of troops for offensive action related to chemical and biological warfare?

Japanese Working Paper Submitted to the Conference of the Committee on Disarmament: Question of the Prohibition of Chemical Weapons, August 6, 1970¹

1. Report of statistics

(1) With regard to the verification of compliance with the prohibition of the production of chemical agents, we shall have to

¹CCD/301, Aug. 6, 1970.

be content with recourse to *ad hoc* inspections based on complaint procedures. At the same time, it would be desirable to establish a reporting system on the statistics of certain chemical substances concerning the amount of their production, preferably on a factory basis, exportation and importation as well as consumption for different purposes, so that these statistics might be used as part of the data forming the evidence for a possible complaint.

Since it is impracticable to report the statistics of all chemical substances, it would be necessary to limit the scope of the items to be reported on. We feel that a certain level of lethal dose by hypodermic injection could be employed as a criterion for this purpose. In suggesting this, we have taken into account the fact that the information we have on the lethal dose of various chemicals has been obtained more from experiments on animals by hypodermic injection than from those by intraperitoneal or intravenous injection or by dosing through their mouths.

As the level of lethal dose (LD 50) to be employed as the criterion, we suggest 0.5 milligrams per kilogram of body weight. That suggestion is based on the consideration that among organophosphorus compounds, which have the most poisonous effects of all chemically synthesized substances today, none, having a poisonous effect not less than the level mentioned above, is used for peaceful purposes. A dose of 0.5 milligrams per kilogram of body weight by hypodermic injection has a lethal effect equivalent to that of a dose of about 1.0 milligram per kilogram of body weight administered through the mouth.

(2) The following are the categories which the chemical substances mentioned above come under.

(a) Nerve agents (e.g.)

VX
Sarin
Soman
Tabun
Diethoxyphosphorylthiocholine
Diethyl-S-(2-triethylammonium-ethyl)- thiophosphate
Dimethyl-S-[2-(S'-ethyl-S'-ethylthioethyl-sulfonium)-ethyl]-thiophosphate

(b) Toxins (e.g.)

Botulinus toxin
Tetrodotoxin
Ricin
Shikkimotoxin

(c) Alkaloids

Aconitine
Gelsemicine

(d) Plant heart poisons (Cardiac-active glycoside)

Scillaren
Digitoxin

The substances listed in (a) are nerve agents of the organophosphorus family. Although they do have the same effects as ordinary insecticides and bacteriocides, they are unsuitable for such peaceful purposes because their toxic effects are much too powerful. Toxins, alkaloids and plant heart poisons are chemical substances derived from animals, plants or microbes. While toxins are high molecular substances consisting mainly of protein and have an antigenous effect, alkaloids are low molecular substances and have no antigenous effects. Alkaloids and plant heart poisons are used for medical purposes in very small doses. Although some of the alkaloids and plant heart poisons may be chemically synthesized for academic purposes, it is through the extraction from plants that those substances are produced in any significant quantity.

(3) On the basis of the above considerations, relevant items to be reported on would be nerve agents of the organophosphorus family and the intermediates in their production. Since nerve agents themselves cannot be used for peaceful purposes and should be unconditionally prohibited, it would not make sense to require statistics on them. Accordingly, the items to be reported on could be limited to the following seven kinds of substances: yellow phosphorus, phosphorus trichloride, phosphorus oxychloride, phosphorus pentachloride, phosphorus pentasulfide, dimethylphosphite and methylphosphonic dichloride. They are intermediates not only in the production of nerve agents but also in industry for peaceful purposes.

If new chemical substances were discovered whose poisonous effect equals or exceeds the level mentioned earlier, it would be necessary to consider the addition of such substances and their intermediates to the list of items to be reported on. In order to do this, those chemicals whose poisonous effects are reported in academic periodicals or meetings to be the same or more than the level suggested above and new chemicals which have been made public without any reference to their toxic effects and which experts picked out as those which might have considerable toxic effects must be tested by an appropriate international research institute.

2. Technical method of on-site inspection

As a possible technical method of on-site inspection of the production of chemical agents, the following one might be considered.

In recent years techniques of microanalysis have been developed to check quantitatively the contamination of rivers or living things by agricultural chemicals. Those techniques could also be applied in on-site inspections. For instance, we should be able to apply improved gas chromatography to microanalyze substances from the chemical plant concerned existing in very small quantities in liquid wastes, the soil and dust in and around the premises, on the

production devices or on the workers' clothes. If an emission electrode for a flame thermionic detector is attached to the nozzle of a flame ionization detector in gaschromatography, a high sensitivity will be shown by phosphorus compounds and the minimum amount detectable will be 1×10^{-13} g/sec. Therefore, by using this method of gaschromatography, it would be possible to identify an unknown substance contained in a sample by comparing its retention time with that of authentic substances, such as VX.

Even when the substance itself cannot be identified through the method described above, we could obtain considerable information by detecting the phosphorus, halogens and sulphur possibly contained in the substance. If we use a coulometry detector, the minimum amount required for detecting sulphur and halogen compounds will be 1×10^{-8} g. Employing that method in combination with other analytical methods, it might be possible even to determine the chemical structure of the unknown substance.

VX, Sarin and Soman have in their structures phosphorus-methyl (alkyl) bonds which do not cleave in mild decomposition. Therefore, it would be useful for the detection of the development, production and stockpiling of nerve agents of the organophosphorus family to check whether chemicals with phosphorus-methyl (alkyl) bonds might be found in liquid wastes, etc.

Yugoslav Working Paper Submitted to the Conference of the Committee on Disarmament: Elements for a System of Control of the Complete Prohibition of Chemical and Biological Weapons, August 6, 1970¹

Consideration of the complex problem of chemical and biological weapons clearly indicates, that in the assessment of most countries it is indispensable and possible to reach as a matter of urgency an agreement on the prohibition of the development, production and stockpiling of all chemical and biological agents for war purposes and on their elimination from existing arsenals.

Consideration of this question has also demonstrated that one of the key problems of its solution is the question of control or verification of the fulfilment of the obligations under a treaty on the total prohibition of these weapons.

A study of the question of control leads to certain conclusions which could provide a basis for further efforts:

First, there is a need to control the fulfilment of the complete prohibition of chemical and biological weapons under the treaty.

Second, it appears that it would be possible to introduce a type

¹CCD/302, Aug. 6, 1970.

of control that would be appropriate, adequate and politically acceptable even under the conditions prevailing in the world today.

Third, the success of the control will largely depend on the degree of political readiness on the part of governments to accept control. Technical problems do exist, but their solution seems to be possible if a positive political decision is taken.

Control of the complete prohibition of chemical and biological weapons, in order to be purposeful and at the same time politically acceptable, should above all meet the following requirements:

1. It should be effective to the point of leaving no possibility for secret violation of the treaty of major significance.
2. It should not inflict commercial or other damage through the disclosure of industrial, scientific or other secrets.
3. Its functioning should be relatively easy and simple, at both the national and international level.
4. The cost of control system should be kept to a minimum.

Obviously, it would be impossible to maintain one hundred per cent control over all institutions and installations which could be utilized for research, development and production of chemical and biological weapons. However, such control is not necessary to achieve the desired objective.

It is evident that it would not be possible by any reasonable kind of control to prevent the clandestine production of limited quantities of chemical and biological weapons, which would have no real military significance.

In devising such a control system the overall operation of which would provide sufficient guarantees for each party to a treaty, two categories of measures may be required:

1. NATIONAL LEGISLATIVE MEASURES OF RENUNCIATION AND SELF-CONTROL BY EACH COUNTRY

(a) The enactment of a law prohibiting research for weapons purposes and of the development, production or stockpiling of agents for chemical and biological weapons.

(b) The enactment of a law for the compulsory publication of certain data from this sphere, which would facilitate international control, as for instance, the names of institutions and facilities engaged in or which, by their nature, could engage in the activities prohibited under the treaty. Certain data concerning the production of such materials or agents which could be used for the production of chemical or biological weapons would be regularly submitted to an international organ. The general list of such data would be established by the treaty itself, in an annex.

(c) The taking and promulgation of a decision to eliminate

existing stockpiles and to abolish proving grounds for the testing of these weapons, and all installations related exclusively to such weapons.

(d) The cessation of training of troops in the use of chemical and biological weapons and the deletion from army manuals of all such instructions with the exception of those sections dealing with protection against chemical and biological weapons.

It is self-evident that a treaty on the Complete Prohibition of All Chemical and Biological Weapons will also preserve the rights of countries to continue research, development and production of means of protection.

Some of the present military institutions in this field could be re-adapted for research work for peaceful purposes or for protection, in keeping with the provisions of the treaty regulating these matters.

In enacting such laws, an exception could be made, in line with the provisions of the treaty on the Complete Prohibition of Chemical and Biological Weapons, for types and quantities of agents used for riot control purposes within the country.

The enforcement of these laws would be left up to each individual state.

National legislative measures of renunciation and self-control should represent the most important group of measures and the main deterrent to possible violation of the treaty on the complete prohibition of chemical and biological weapons.

All national legislative measures of renunciation and self-control by each country should be preceded by the enactment of a law placing under civilian administration or control—the Ministry of Health, the Ministry of Industry or a similar organ—all institutions now engaged in the research, development or production of chemical and biological weapons. Such a measure would significantly facilitate the implementation of the treaty and reduce the possibilities for illegal production of chemical and biological weapons.

2. MEASURES OF INTERNATIONAL CONTROL

(a) The collection of certain data which States would publish and report in line with their internal legislation (Items (b) from the first group of measures), and other relevant information which could indicate whether any prohibited activity was being undertaken.

The collection, receipt of reports and analysis of these data would be carried out by an international organ, one of those already in existence or one that would be especially set up for this purpose, which might also discharge other functions in connexion with the control of the prohibition of chemical and biological weapons.

(b) Governments should, at their own initiative, and within the

framework of consultations and co-operation in good faith, if the need arises, make it possible through an appropriately regulated procedure, in accordance with the concept of verification by challenge, to ascertain that there is no activity on their territory prohibited by the treaty.

(c) The complaints procedure to the Security Council.

PROCEDURE IN CASE OF SUSPICION OF VIOLATION

In case any party to the treaty harbours any doubts about the implementation of provisions of the treaty by any other party, it should enter into discussions and consultations with such other party with a view to clarifying the situation and removing such doubts.

In case of suspicion that the treaty on the complete prohibition of chemical and biological weapons has been violated, a State harbouring the suspicion should inform other parties to the treaty and also apply to the international organ, submitting the necessary information for the purpose of preliminary investigation, which should be provided for.

On this basis, the international organ would contact the state under suspicion, for the purpose of making relevant enquiries or conducting a preliminary investigation to ascertain whether the suspicion is founded.

If the procedure undertaken does not yield a satisfactory solution, the country under suspicion may offer verification under the "verification by challenge" procedure.

If the State harbouring the suspicion considers it has not received a satisfactory reply after this procedure, it may address itself to the Security Council which would endeavour urgently to find a solution.

The right of countries to address themselves to the Security Council remains unaffected and they may resort to it at any stage of the above procedure.

Soviet Working Paper Submitted to the Conference of the Committee on Disarmament: Complete Prohibition of Chemical and Bacteriological Weapons, August 6, 1970¹

1. The main problem as regards chemical and bacteriological weapons is to achieve their complete prohibition, namely the prohibition of their use, development, production and stockpiling and the destruction of stocks of such weapons.

The problem of prohibiting the use of chemical and bacteriological weapons is solved by the Geneva Protocol of 1925.² This Protocol, to which about seventy States are parties, embodies an

¹ CCD/303, Aug. 6, 1970.

² *Documents on Disarmament*, 1969, pp. 764-765.

important and generally recognized rule of international law prohibiting the use of chemical and bacteriological warfare methods. It may be noted with satisfaction that the Protocol has recently been ratified by Japan and Brazil. However, the United States of America, which has a very highly developed chemical industry and produces and uses chemical means of warfare, is as yet not a party to it. In the present situation, in order to bring about a general renunciation of the use of chemical and bacteriological weapons and thereby make the Geneva Protocol more effective, all States of military importance, and in particular the United States of America, must by acceding to the Geneva Protocol undertake not to use chemical or bacteriological means for military purposes.

The complete prohibition of chemical and bacteriological weapons can only be achieved by the renunciation on the part of States of the development, production and stockpiling of such weapons and by their undertaking to destroy such weapons. It is this solution of the problem of chemical and bacteriological weapons which is envisaged in the draft convention of the nine socialist countries.³

2. The conclusion of a convention on the prohibition of the production and stockpiling of chemical and bacteriological weapons and on the destruction of such weapons, widely acceded to by States throughout the world, is aimed to lead to the complete elimination of such weapons. This would complete the process which was initiated by the conclusion of the 1925 Geneva Protocol. It would also solve the question of the reservations to the Protocol entered by a number of States. Those reservations, which have the effect of providing that the prohibitions of the Protocol are binding only with respect to States which are Parties and that they cease to be binding with respect to any State whose armed forces do not observe the restrictions laid down in the Protocol, have played their part in preventing the unleashing of a war involving the widespread use of chemical and bacteriological methods. The reservations served as the basis for the warning issued by the Allied Powers to the Government of Hitler Germany concerning the possible use of chemical weapons by the latter during the Second World War.

The conclusion of a convention aimed at the complete elimination of chemical and bacteriological weapons from the military arsenals of States will make the question of reservations to the 1925 Geneva Protocol superfluous.

3. The proposal by the United Kingdom to conclude a convention solely for the prohibition of biological weapons⁴ not only fails to solve the problem of the complete prohibition of chemical and biological weapons, but in essence means the

³*Ibid.*, pp. 455-457.

⁴*Ibid.*, pp. 431 ff.

expansion and legalization of chemical means of warfare. Given the present rapid progress of science and technology, it is precisely the chemical weapons which present the greatest danger, since they have assumed an important place in the armed forces of a number of States. Such weapons have already been widely used in the past and are being used at the present time. It is generally recognized, however, that the use of biological weapons involves tremendous risks, even to the country that might use them as a means of warfare.

Chemical and bacteriological weapons have consistently been considered together in view of the common characteristics of these types of weapons of mass destruction. The prohibition of the use of chemical and bacteriological weapons is provided for in a single international instrument—the Geneva Protocol of 1925. Attempts to adopt a different approach to the prohibition of chemical weapons and biological weapons and proposals to provide for their prohibition in separate agreements will mean undermining the existing generally recognized rules of international law embodied in the Geneva Protocol, which adopts a unified approach to chemical and bacteriological (biological) weapons alike. In these conditions, the implementation of the United Kingdom proposal, which is based on a separate approach to chemical and bacteriological weapons and provides for the prohibition of the latter alone, constitutes a direct danger in that it will promote the build-up by States of arsenals of chemical weapons and increase the risk of the use of such weapons in international conflicts.

4. The draft convention on the prohibition of the development, production and stockpiling of chemical and bacteriological weapons and on their destruction, proposed by the nine socialist countries, contains provisions ensuring the strict observance of the terms of the agreement by the parties to the convention. Those provisions have been arrived at on the assumption that the establishment of a system of international verification to determine whether chemical and bacteriological weapons are or are not being produced in a given country is an exceptionally complex and practically impossible task, since the process of manufacturing chemical and bacteriological substances for peaceful purposes is essentially no different from that of their production for military purposes. Under such circumstances, the most reasonable method is control exercised by national Governments, each of which will thus be internationally responsible for ensuring that not a single industrial undertaking or citizen in its country engages in the development or production of chemical or bacteriological weapons and that no such weapons are being stockpiled in the country's military arsenals. The relevant provisions are contained in articles 4 and 5 of the draft convention proposed by the socialist countries. They are supplemented by article 6, whereby the parties to the convention undertake to consult and co-operate with one another in solving problems connected with the application of the convention.

Of great importance also are the additions to the draft convention of the socialist countries, sponsored by Hungary, Mongolia and Poland, concerning the involvement of the United Nations Security Council in the investigation of cases of violation of the convention.⁵

The measures embodied in the draft convention of the nine socialist States for ensuring the implementation of the convention are sufficiently strict and at the same time sufficiently flexible, and they enable the Governments themselves to choose such methods of control as, in their view, will most effectively guarantee implementation of the terms of the convention. Those measures do not limit the right of States, if they so wish and if they reach agreement on the matter, to have recourse to methods of an international character. That possibility is covered by the provisions of article 6.

5. A number of proposals put forward by members of the Disarmament Committee, including Sweden,⁶ Morocco⁷ and Yugoslavia,⁸ with a view to developing the system of control envisaged in the draft convention of the nine Socialist countries, are interesting and merit careful consideration and further elaboration.

Nevertheless, it is quite obviously necessary to maintain a balance in considering the political aspects of the problem of the prohibition of the development, production and stockpiling of chemical and bacteriological weapons and the technical aspects of the problem of control over such prohibition. The attempts being made to base the work of the Committee on just the study of the technical features of the problem of control may hinder or in any case considerably delay the adoption of a political decision, which is necessarily the priority task in solving the problem of the prohibition of chemical and bacteriological weapons. Past experience, and in particular the activities of the League of Nations, shows that channelling disarmament discussions along the lines of technical expertise and deferment of political decisions resulted in failure to reach an agreement. This should not be lost sight of during consideration of the problem of the complete prohibition of chemical and bacteriological weapons.

Additional Italian Working Paper on the Problem of Controls Over Chemical Weapons, August 6, 1970¹

(1) In the working paper tabled by the Italian delegation on June 30, 1970² the following concepts were, in particular, stressed: (a)

⁵ *Ante*, p. 140.

⁶ *Ante*, pp. 132-140.

⁷ *Ante*, pp. 341-342.

⁸ *Supra*.

¹ CCD/304 Aug. 6, 1970. The paper was submitted to the Conference of the Committee on Disarmament.

² *Ante*, pp. 270-272.

the establishment of an effective system of controls is still the major problem among those that the Committee will have to solve with a view to achieving an agreement for the prohibition of chemical weapons; (b) the problem of controls presents some aspects that are predominantly scientific and a knowledge of which is essential before the various delegations can profitably embark on the discussion of a draft treaty; (c) for the purposes of such discussion, the technical studies which are already at the disposal of the Committee should be appropriately supplemented by a specific study on the problem of controls of chemical weapons to be undertaken by a special group of experts; (d) the Committee should itself guide the group on its labours deciding beforehand the lines on which it should work and the specific subjects with which it should deal.

(2) During the informal meeting held on August 5, 1970 and on other previous occasions, many delegations made valuable contributions to the discussions of the Committee by presenting their views and asking technical questions on the problem of controls over chemical weapons.

The Italian delegation wishes, on its part, to formulate a number of questions of technical nature, in the hope that this may help the work of the Committee:

(a) Assuming that, for the substances listed in the Japanese and Canadian papers³ a control problem arises only when considerable quantities are involved, is it possible to establish, by mutual consent, a listing of the large chemical industries which produce and practically control the products concerned?

(b) Taking for granted that such a possibility exists, does the fact that large quantities of these substances are mainly used by big industries involved in peaceful production make it easier to control any leak of such products towards non-peaceful uses?

(c) Granted the hypothesis that it is possible to exercise an overall control of the production and the flow of these substances, what is then the minimum percentage variation which, if not justified on economic grounds, could give rise to the suspicion that the final destination is not meant for peaceful uses?

(d) If a percentage variation of a specific factor in itself is not suitable as an indicator as to the destination of the product for warfare purposes, could this same factor acquire a decisive importance when combined with the percentage variation of another factor related to the former?

(e) Does an international organization exist which could contribute effectively to verifying the production and the flow of the substances concerned and, if it exists, could it include this task in its present structure or could it do so through minor structural and organizational changes?

³ CCD/288 and *ante*, pp. 375-379.

(f) Taking for granted that such an organization exists, could its contribution be sufficient to establish a founded suspicion that a violation has been committed and thus justify a complaint?

(g) Could the present trend which aims at eliminating phosphates organic compounds as insecticides help the solution of the problem of controls?

(3) In the opinion of the Italian delegation technical documents such as the ones mentioned above represent examples of the very contributions which, in working paper CCD/289, we suggested should be tabled by the various delegations to the C.C.D.

It will be recalled that in paragraph 5 (c) of the same working paper it was proposed that "each delegation should instruct the appropriate body in its own country to suggest a list of specific technical themes to be developed and studied in more detail".

We believe, however, that tabling such technical documents cannot be considered sufficient in itself. In our opinion, more appropriate methods should be envisaged so that contributions by individual countries could be fully utilized by the C.C.D.

To this end, we supported the idea of setting up a group of experts with a view to organizing the work that each competent national body would carry out. Moreover, in order to enable the group of experts to produce, within a relatively short time, a useful document for the specific purposes of the Committee, we also suggested under paragraph 5 b, c, d, e, of our working paper, a particular procedure according to which the group should be given appropriate guidance by the Committee itself.

Canadian Working Paper Submitted to the Conference of the Committee on Disarmament: Seismological Capabilities in Detecting and Identifying Underground Nuclear Explosions, August 10, 1970¹

1. *United Nations General Assembly Resolution*

At the XXIVth United Nations General Assembly, Canada proposed a resolution, 2604A, which was adopted at the 1836th plenary meeting on December 16, 1969.² In summary form, the resolution requested the United Nations Secretary-General to circulate to governments a request that they supply by May 1, 1970, information concerning seismological stations from which they would be prepared to supply records on the basis of guaranteed availability and to provide certain information about each of such stations.

¹ CCL/305, Aug. 10, 1970.

² *Documents on Disarmament*, 1969, pp. 719-722.

This resolution, which had been proposed and discussed in the Conference of the Committee on Disarmament (CCD) in Geneva in 1969, was designed to assist in clarifying what resources would be available for the eventual establishment of an effective world-wide exchange of seismological information which would facilitate the achievement of a comprehensive test ban.³

The proposal in Resolution 2604A was exploratory in nature and designed to elicit information on the quantity and quality of the data records that could be made available, and not to prejudge the form that might eventually be decided for any exchange system. The Canadian Delegation believes that it is by no means clear that any eventual seismic exchange system would involve the circulation of data on a continuous, as distinct from, an ad-hoc basis, or that the seismic data exchange concept, if proven viable on technical examination, would necessitate the establishment of any sort of international control agency or data centre.

The aim of the resolution was to achieve a limited step of clarification. This modest proposal is a first step in any process whereby seismology could assist in clarifying for national states the implications of the essentially political decision involved in the prohibition of underground testing.

2. Response to Request for Information

Pursuant to Resolution 2604A, the Secretary-General circulated on January 30, 1970, a note (PO134/611) soliciting responses to the questionnaire appended to the resolution, which specified the details concerning conventional seismograph stations and array stations that governments were invited to submit to the Secretary-General.

At the time of preparation of the Canadian assessment of the significance of the returns, 54 returns were available: 33 countries reporting information for seismograph stations on their territory, 15 countries reporting no operational seismograph stations on their territory, and 6 countries indicating that in their view the purposes of the resolution were unnecessary or preferring to maintain a voluntary form of seismological data exchange and including no data on seismograph stations in their returns.

3. Assessment of Returns

A preliminary Canadian assessment has been circulated which represents an analysis of the UN seismological returns up to and including Document A/7967/Add. 3. Canada has studied the heterogeneous network of stations and arrays described in the returns, and attempted to find a way to define and describe the intrinsic potential application of this world-wide network to the

³*Ibid.*, pp. 418-420.

detection, location and identification of underground nuclear explosions at any location throughout the world.

Briefly, this ensemble of stations can detect P waves (body waves) of both earthquakes and underground explosions down to body wave magnitudes, m4.0 to m4.2 occurring anywhere in the northern hemisphere: the definition used involves greater than, or equal to, 50 per cent interval probability at a minimum of 5 stations, and with a corresponding location capability between 20 and 45 km. When conversion is made to 90 per cent probability of detection of an event by at least five stations, the lower limit in the northern hemisphere is between m4.5 and m4.7. As the definitions are relaxed by reducing the minimum number of detecting stations, there is some improvement at the expense of location accuracy.

Identification is a much more severe problem: the earthquake Rayleigh wave (surface wave) detection capability is generally between m4.6 and m5.0 in the northern hemisphere with an analogous 50 per cent probability definition (we have converted in this statement to body wave magnitudes). An improvement of 0.4 magnitude units is possible for some test sites and station paths and matched filtering capability at certain stations can produce a further improvement of between 0.2 and 0.3 magnitude units. There is, therefore, a potential for a range m4.0 to m4.4 for earthquake Rayleigh surface wave detection at the 50 per cent probability level, although this requires some relaxation of the definition used. Again, conversion to 90 per cent probabilities increases this estimate to m4.5 to m4.9. The corresponding figures for the detection of explosion Rayleigh waves and thus for positive identification of explosions are 1 magnitude higher, namely, between m5.0 and m5.4 at the 50 per cent level and 0.5 magnitude units higher at the 90 per cent level. Extensive research could allow the application of negative long-period criteria capable of producing a decrease estimated at 0.6 magnitude units in these figures provided some further relaxation in the rigour of the definitions used is accepted: this is probably only satisfactory with the application of a suite of non-perfect criteria to the analysis of any doubtful event. The magnitude yield relation varies with rock type and regional effects: m4.75 can be equated with a yield between 8 and 20 ktons in hard rock.

On the basis of this preliminary assessment, the Canadian Delegation recommends extensive studies of other discriminants and particularly of short-period ones for which signal detection capability is more simple to achieve. The assessment made demonstrates useful positive discrimination for certain test sites down to m4.5 at the 50 per cent probability level of application.

For the first time, as a result of the UN questionnaire, a station ensemble exists with a form of government assurances, or potential assurances, which can be used by any state to make its own study of the problems of seismological verification. This is a fundamental first step, and the response on the whole has been

very satisfactory. States should conduct their own examination of this situation, so that, at the very least, a consensus might emerge of the present state-of-the-art and capability.

Typical questions which might usefully be examined in assessing the significance of the UN questionnaire results with respect to progress towards a CTB would, in the view of the Canadian Delegation, include the following:

(1) To what extent do the replies to the questionnaire, supplement or modify existing scientific information concerning seismic facilities for detecting and identifying underground nuclear weapon tests?

(2) Is it possible to estimate from the information provided about national seismic facilities, the extent to which the identification capabilities for underground nuclear explosions may be improved through guaranteed international access to additional seismological data?

(3) Have the results of the questionnaire identified any sectors of the globe or geographic areas for which the levels of nuclear explosion identification are perceptibly higher or lower than average? Would these areas be of vital significance in the enforcement of any Comprehensive Test Ban?

(4) Could the response of governments to the Secretary-General's questionnaire help such governments identify methods for improving the effectiveness of their own seismic detection techniques, or would any further information be required for this purpose?

(5) Is further examination warranted into the concept of the international exchange of seismic data, as well as into the quantity and quality of data that may be made available from national means of identification?

(6) Do the results of this survey warrant further consultation in the near future among nations ready to contribute to an examination of the facilities for identification of nuclear explosions by seismological means, and to an examination of the most effective attainable measures to supplement the Partial Test Ban of 1963?⁴

(7) Is it possible yet to establish the degree to which national verification procedures may be adequate, with or without an international exchange of seismic data, and the degree to which a prohibition of underground nuclear tests could be effective on either basis?

**Statement by the Soviet Representative (Roshchin) to the
Conference of the Committee on Disarmament: General and
Complete Disarmament, August 11, 1970¹**

The Soviet delegation intends today to present some considerations concerning the problem of general and complete disarmament.

⁴ *id.*, 1963, pp. 291-293.

¹ CCD/PV.486, pp. 9-16

20. Speaking at the beginning of this year in favour of the renewal in the Committee of the discussion of that problem,² we had in mind that such a discussion might help to find the most rational and mutually acceptable ways of approaching the preparation of, and agreement on, a programme of general and complete disarmament. We note with satisfaction that the problem of general and complete disarmament has been referred to by all members of the Committee in their statements during the spring and summer session and that in the course of the discussion concrete considerations have been advanced and suggestions made which deserve detailed study and analysis. In our statement today we intend to comment on some of the matters which have been touched upon in the course of the discussion.

21. The Soviet Union has always been in favour of the elaboration of a disarmament programme. In the past we submitted a draft treaty on general and complete disarmament.³ It was based on a number of principles which in our opinion have lost none of their significance. We are referring to the 1961 Joint Statement by the Soviet Union and the United States of Agreed Principles for Disarmament Negotiations,⁴ which was approved by the General Assembly of the United Nations at its sixteenth session (resolution 1660 (XVI)) and which recommended our Committee to base its discussion on general and complete disarmament upon those principles.⁵ We share the view of delegations which believe that the disarmament programme must be realistic and flexible, and that it must be based on the aims and principles previously defined and on the results which have so far been achieved by our efforts in the field of disarmament. We also agree with the view of the representative of Yugoslavia that the preparation of such a programme

... should not degenerate into an end in itself, nor should the debate on the programme be permitted to drag on *ad infinitum* or to overshadow efforts dealing with individual urgent issues in this field.⁶

22. At the same time, the Soviet delegation believes that the disarmament programme should not be linked chronologically to any "decade" or even two decades. It would hardly be very appropriate to fix a timetable for reaching agreement. Our task is to achieve the earliest possible agreement on, and implementation of, measures in the field of disarmament, especially as many of them do not allow of postponement and call for urgent decision. It must also be borne in mind that, as Mr. Khallaf, the representative of the United Arab Republic, said—and we agree with him—the criteria for establishing a programme for disarma-

² *Arise*, pp. 13-20.

³ *Documents on Disarmament, 1965*, pp. 77-102.

⁴ *Ibid.*, 1961, pp. 439-442.

⁵ *Ibid.*, pp. 677-678.

⁶ CD/PV.478, p. 26.

ment must be the practical possibilities, the maturity of the various questions, and of course, the international climate.⁷

23. As regards this last point—namely, the linking of the problem of disarmament with that of international security—which has received considerable attention in the statements of many delegations, we would say that in our view this interrelationship constitutes an important element, which must always be kept within our field of vision. The two problems interact constantly. It is an unquestionably correct thesis that a deterioration in the international climate contributes to the arms race and that the arms race, in turn, exacerbates relations between States, creates an atmosphere of mistrust and leads the world to the brink of war's catastrophe. Progress in disarmament is not an isolated process; it is connected with the problems of peace and security, the settlement of disputes and the establishment of an atmosphere of confidence. It is this interrelationship which explains why efforts to strengthen international security and achieve disarmament constantly engage the attention of all peoples.

24. Basing themselves on the fact that the problems of security and disarmament are closely connected, some delegations in the Committee have expressed the view that no progress can be made on one of these problems if the other is not solved concurrently. It seems to us that such an approach to the solution of these problems, and especially of the problem of disarmament, might result in further and sometimes unjustified delays and complications. Of course, it would be very tempting to work out procedures for solving both of these problems simultaneously, but that seems hardly feasible. The search for such procedures to solve these important international problems might create a situation in which the solution of urgent questions in the field of disarmament would be put off until progress had been made on ensuring international security. Such an approach would result in the Committee's having either to concern itself with the elaboration of subject-matter outside its competence or to hold up agreement on disarmament measures pending the favourable development of international events and positive results from the work of international bodies seeking ways of ensuring peace and international security. In our opinion, such an approach to the solution of the disarmament problem would not contribute to the attainment of those positive results.

25. In this connexion we should like to say that we do not share the view expressed by the representative of Sweden, Mrs. Myrdal, that:

... we should from now on specifically seek to introduce in a comprehensive programme for disarmament [and I stress "to introduce in a comprehensive programme for disarmament"] direct correlation with other United Nations activities. *Pari passu* with disarmament, a strengthening must take place of the United Nations machinery for

⁷ CCD/PV.452, p. 15.

establishing friendly relations; for settling disputes; for keeping a watch on conflicts brewing⁸

There can, of course, be no doubt about the task of strengthening the role of the United Nations in the maintenance of international peace and security. However, it would hardly be appropriate to tie directly together, in a single package, the attainment of a disarmament programme and an extensive range of measures of a different kind enumerated in the statement of the Swedish delegation. By acting in that way we would further complicate the already difficult negotiations on disarmament. We should, rather, try and achieve the greatest possible amount of progress in our talks seeking agreement on measures in the field of disarmament, with a view to the fact that success in these talks would contribute to ensuring international peace and security and to the success of United Nations activities in the latter sphere.

26. In not sharing the view that these two most important international problems—disarmament and security—should be tied together in a single package, we do not at all intend to minimize the role of efforts to strengthen international security. The Soviet Union has always attributed great significance to that problem. As is known, it was on the initiative of the Soviet Union that the item on the strengthening of international security was considered last year by the United Nations General Assembly. One of the main tasks of the twenty-fifth anniversary session of the General Assembly will be the elaboration of a concrete solution of that problem. There has also been wide support for the proposal of the socialist countries concerning the convening of a general European conference to work out measures to ensure security and the development of collaboration in Europe.⁹

27. We feel, however, that it is more appropriate, in practical terms, that questions of ensuring international security which are not an integral part of a programme of general and complete disarmament should be regarded as being in the category of general tasks of strengthening international peace and security, both at the world-wide and at the regional level. Attempts between the two world wars to make the solution of the above problems conditional on one another did not contribute to the achievement of progress in the matter of disarmament.

28. Many delegations which have spoken during the present session of the Committee have referred to the relationship between general and complete disarmament and partial measures in this field. On that question the Soviet delegation bases itself on the provisions of the Agreed Principles for Disarmament Negotiations, paragraph 8 of which says that States participating in the negotiations should achieve agreement upon the total programme and that

⁸CCD/PV.478, pp. 12-13.

⁹*Documents on Disarmament, 1969*, pp. 106-109.

... efforts to ensure early agreement on and implementation of measures of disarmament should be undertaken without prejudicing progress on agreement on the total programme and in such a way that these measures would facilitate and form part of that programme.¹⁰

29. Following that principle, we do not place partial measures of disarmament in opposition to general and complete disarmament. The Soviet delegation considers that the positive solution of partial disarmament measures creates favourable conditions for the elaboration of a programme, and the adoption of positive solutions, with regard to the problem of general and complete disarmament. On the other hand, success in the elaboration of a programme of general and complete disarmament would in turn contribute to the arrangement and implementation of partial measures. Thus the two problems—partial measures and general and complete disarmament—are closely interdependent; they condition one another and can be solved on parallel lines. That has already been borne out by the practice that has been followed in the solution of disarmament problems so far. Thus, in the past few years it has proved possible within the framework of the Committee to agree upon a number of partial measures which are integral parts of the USSR proposal of 1962 concerning general and complete disarmament.¹¹ The fact that the difficulties we encounter in trying to harmonize the positions of parties on general and complete disarmament seem to us greater than those in harmonizing positions on partial measures, cannot be interpreted to mean that we should concentrate all our attention on partial measures at the expense of efforts to solve the question of general and complete disarmament.

30. In connexion with the problem of the relationship of the various aspects of disarmament, we should like to make a few comments also on the question of "equilibrium" in carrying out measures of disarmament, or the principle of balance, which has been referred to here by many delegations and in particular by the representative of Sweden. We share her view that "balance ... cannot mean scrapping gun for gun, or reducing armies soldier for soldier ..."¹² Today there are States which have nuclear and other powerful weapons, while most States do not possess such weapons. That means that the process of disarmament, by its very nature, cannot be purely mechanical in the sense indicated above.

31. This consideration was taken into account in the elaboration of the Joint Statement of Agreed Principles, paragraph 5 of which reads:

All measures of general and complete disarmament should be balanced so that at no stage of the implementation of the treaty could any State or group of States gain military advantage and that security is ensured equally for all.¹³

¹⁰ *Ibid.*, 1961, pp. 441-442.

¹¹ *Ibid.*, 1962, pp. 103-127; 1965, pp. 77-102.

¹² CCDD/PV.478, p. 17.

¹³ *Documents on Disarmament*, 1961, p. 441.

Such a definition of the principle of balance corresponds to the interests of all States. It was a basic element of the Soviet draft treaty on general and complete disarmament. For instance, the armed forces of the Soviet Union and the United States in the first stage were to be reduced to the level of 1,900,000 men, while for other States it was recommended that the level should be determined on the basis of the particular features and military capacity of the armed forces of the country in question.

32. In that provision, which relates to the principle of balance, there is a general approach: there is the idea of solving the problem as a whole, while the more detailed figures that flow from this principle for the armed forces of particular States are to be determined by the contracting parties when elaborating any given disarmament measure. This applies both to the solution of the problem of general and complete disarmament and to the implementation of partial disarmament measures.

33. Speaking of the principle of balance in the process of disarmament we should like to recall the thesis we have advanced that in the implementation of important measures of disarmament, including nuclear disarmament and, especially, general and complete disarmament, all the militarily most significant States must participate, and absolutely all the nuclear Powers. The implementation of key disarmament measures by only some States would create a situation in which the security of the States carrying out the disarmament measures would be jeopardized. Such a course of events would in all likelihood lead to a deterioration of the international climate.

34. Delegations in their statements have given considerable attention to the problem of verification of the implementation of disarmament agreements. Verification of disarmament constitutes an important and at the same time complex problem, inasmuch as its purpose is to ensure strict compliance by all parties to the treaty with their disarmament obligations. Disarmament is feasible only as a supervised process. There must be adequate guarantees that no States are evading the carrying out of disarmament measures and have no possibility of stockpiling armaments secretly, thereby creating a threat to the security of other States.

35. This is precisely the basis for one of the provisions in the Joint Statement of Agreed Principles for Disarmament Negotiations which says:

All disarmament measures should be implemented from beginning to end under such strict and effective international control as would provide firm assurance that all parties are honouring their obligations.¹⁴

It is our conviction, however, that the implementation of control should not permit unjustified interference in the internal affairs of States. This control should ensure observation of the fulfilment of disarmament obligations but should not serve as a means for

¹⁴ *Ibid.*

observation of, or spying upon, existing armaments and should not create a threat to the national security of States.

36. An international control system for the implementation of measures of general and complete disarmament was duly provided for in the 1962 Soviet draft treaty on the subject. In that draft the range of powers of the international control bodies is linked to the nature of the disarmament measures that are being carried out. For instance, for the reduction of the size of armed forces and of armaments on-site control is proposed at the places where the troops are disbanded and the armaments destroyed, and for the elimination of rockets capable of delivering nuclear weapons on-site control would be carried out at the places where they are destroyed.

37. In the implementation of partial disarmament measures, too, it is necessary to take into account considerations of national security and not allow the verification of specific partial measures to over-expand into unjustified interference in the internal affairs of other States or into a means of military or political espionage.

38. We believe that in all cases where there is a readiness on the part of States to reach agreement on measures of disarmament, concrete forms and methods of verifying the implementation of such measures should and can be found although—and we stress this—elaborating and agreeing on forms and methods of control is a complex, involved process in which numerous political and military-technical factors play a part. Experience with disarmament shows that where there was a will to adopt appropriate political solutions, we found it possible to work out mutually acceptable positions on questions of verification.

39. The elaboration of a programme of disarmament will raise the question of priorities with regard to the various disarmament measures. Many delegations in this Committee have spoken in favour of giving priority to questions of nuclear disarmament. The Soviet delegation shares that view. As is known, immediately after the end of the Second World War the Soviet Union called for the immediate and unconditional prohibition of nuclear weapons. Since then this question has been raised on numerous occasions by representatives of the Soviet Union in various international forums. Questions of nuclear disarmament are given pride of place in our draft treaty on general and complete disarmament, where it is proposed in the very first stage to eliminate simultaneously all means of delivering nuclear weapons—strategic, operational and tactical.

40. In the Soviet Government's Memorandum of 1 July 1968 on Some Urgent Measures for Stopping the Arms Race and for Disarmament it was proposed that negotiations should be started forthwith on stopping the manufacture of nuclear weapons, the reduction of stockpiles of those weapons and the subsequent total prohibition and elimination of nuclear weapons under appropriate international control.¹⁵

¹⁵ *Ibid.*, 1968, pp. 466-470.

41. In addition, we would point out that so far as the actual content of a disarmament programme is concerned, the bases for such a programme have already, as we see it, been delineated in documents available to members of the Committee: the Soviet draft Treaty of 1962 on General and Complete Disarmament, the Soviet Government's Memorandum of 1968 on Some Urgent Measures for Stopping the Arms Race and for Disarmament, the provisional agenda of the Committee adopted by the Committee in 1968,¹⁶ and other documents. These documents contain proposals on questions relating both to the limitation and elimination of armaments and to general and complete disarmament. They deal also with problems of nuclear disarmament, the reduction of conventional weapons and armed forces, the freezing and reduction of military budgets, and all other measures leading to the dismantling of the military apparatus and the disbanding of all armed forces. Finally, those documents also envisage the implementation of partial or collateral disarmament measures.

42. We realize that the solution of the problem of priorities in the matter of disarmament presents numerous complications, inasmuch as the problem is closely connected with that of ensuring the security of States. The determination and approval of priorities in the disarmament programme call for considerable efforts, which can yield positive results only if there is goodwill and a readiness on the part of States to find agreement on measures for general and complete disarmament.

43. Those are some of our views on the problems that have been put forward by delegations during consideration of the question of general and complete disarmament. The extensive discussion which has taken place in the Committee on this question will doubtless contribute to progress in the solution of the problem of general and complete disarmament. We believe that on the basis of the discussion that has taken place and in the light of the views that have been expressed and the proposals that have been made, it will be possible to determine our future procedure for agreeing on the programme, and subsequent implementation, of measures for general and complete disarmament.

Report by Secretary of State Rogers to President Nixon: Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous, or Other Gases, August 11, 1970¹

DEPARTMENT OF STATE,
Washington, August 11, 1970

THE PRESIDENT,
The White House:

I have the honor to submit to you, with the recommendation that it be transmitted to the Senate for advice and consent to

¹⁶*Ibid.*, pp. 583-584.

¹S. Ex. J, 91st Cong., 2d sess.

ratification, the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva June 17, 1925.² The United States proposed the Protocol in 1925 and submitted it to the Senate in 1926. Although the Senate never voted on the question of ratifying the Protocol, which was returned to the President in 1947, the United States has always supported its principles and objectives and has pledged itself internationally to observe these principles. At present there are 85 parties to the Protocol, the most recent of which, Japan, became a party on May 21, 1970. The United States is the only major military power which is not a party.

Recent support of the principles and objectives of the Protocol was given by the United States in 1966, 1968 and 1969 at the United Nations. The United States has voted in the General Assembly for resolutions which called for "strict observance by all States of the principles and objectives of the Protocol" and invited "all States to accede to" the Protocol.³

The Protocol prohibits the use in war of asphyxiating, poisonous or other gases, and of all analogous liquids, materials or devices and bacteriological methods of warfare. The Protocol is the basic international agreement in this field, and its principles have been observed in almost all armed conflicts since 1925 by parties and non-parties alike.

While the Protocol itself speaks in terms of flat prohibitions on the use of chemical and bacteriological agents in war, thirty-nine States (including France, the Union of Soviet Socialist Republics, and the United Kingdom) have ratified or acceded with reservations. The reservations of most of the reserving states assert that the Protocol is binding on them only with respect to other parties to the Protocol and limit the prohibitions to no first use.

It is proposed that the Senate give its advice and consent to ratification subject to a reservation as follows:

"That the said Protocol shall cease to be binding on the Government of the United States with respect to the use in war of asphyxiating, poisonous or other gases, and of all analogous liquids, materials, or devices, in regard to an enemy State if such State or any of its allies fails to respect the prohibitions laid down in the Protocol."

This reservation would permit the retaliatory use by the United States of chemical weapons and agents, but would not limit in any way the Protocol's prohibition with respect to biological weapons.

Ratification of the Protocol as qualified by the proposed reservation would put the United States in the following position:

Unlike France, the Union of Soviet Socialist Republics, the United Kingdom, and most other reserving States the United

² *Documents on Disarmament*, 1969, pp. 764-765.

³ *Ibid.*, 1966, pp. 798-799; *ibid.*, 1968, pp. 793-795; *ibid.*, 1969, pp. 717-719.

States would not assert by reservation a limitation of its obligations under the Protocol to the Parties thereto.

Like France, the Union of Soviet Socialist Republics, the United Kingdom, and other reserving States, the United States would reserve the right to use the prohibited chemical agents in retaliation against any enemy State if such State or any of its allies fails to respect the prohibitions laid down in the Protocol.

Unlike France, the Union of Soviet Socialist Republics, the United Kingdom, and all but one other reserving State, the United States would not assert by reservation the right to use bacteriological methods of warfare in retaliation.

The United States considers that the term "bacteriological methods of warfare" as used in the Protocol encompasses all biological methods of warfare and the use in warfare of toxins however produced.

It is the United States understanding of the Protocol that it does not prohibit the use in war of riot-control agents and chemical herbicides. Smoke, flame, and napalm are also not covered by the Protocol.

The subject of arms control as it relates to chemical warfare and biological warfare is of continuing and increasing importance in the international field. At the 1969 summer session of the Conference of the Committee on Disarmament, the United Kingdom presented a draft convention establishing a comprehensive ban on the development, production, stockpiling, and use of biological methods of warfare.⁴ In accordance with your announcement of November 25, 1969 that the United States would associate itself with the principles and objectives of that draft convention,⁵ we have taken an active role in its negotiation. Other proposals on the subject of chemical and biological warfare have also been introduced in the United Nations General Assembly and the Conference of the Committee on Disarmament by other Governments.

Members of the Conference of the Committee on Disarmament have indicated the need for universal adherence to the Protocol as a condition precedent to agreement and more comprehensive measures.

The United States should become a party to the Protocol to strengthen the general prohibitions on the use of chemical warfare and biological warfare and to facilitate our participation in the formulation of new arms control provisions in this area.

Respectfully submitted.

WILLIAM P. ROGERS

⁴*Ibid.*, pp. 431 ff.

⁵*Ibid.*, pp. 592-593.

**Treaty Between the Soviet Union and the
Federal Republic of Germany, August 12, 1970¹**

The high contracting parties,
in the endeavor to contribute to the strengthening of peace and security in Europe and throughout the world,
in the conviction that peaceful cooperation between states on the basis of the aims and principles of the Charter of the United Nations corresponds to the aspirations of the peoples and the broad interests of international peace,
in appreciation of the fact that previously realized agreed measures, in particular the conclusion of the agreement of Sept. 13, 1955, concerning the establishment of diplomatic relations,² have created favorable conditions for new important steps for the further development and strengthening of their mutual relations,
in the desire to give expression in contractual form to their determination to improve and expand cooperation between them, including economic relations as well as scientific, technical and cultural contacts, and in the interests of both states,
have agreed on the following:

Art. 1.—The Union of Soviet Socialist Republics and the Federal Republic of Germany regard the maintenance of international peace and the attainment of an easing of tensions as an important goal of their policy.

They affirm their desire to promote the normalization of the situation in Europe and the development of peaceful relations between all European states, and in doing so proceed from the existing real situation in this region.

Art. 2.—The Union of Soviet Socialist Republics and the Federal Republic of Germany will be guided in their mutual relations, as well as in questions of guaranteeing European and international security, by the aims and principles that are laid down in the Charter of the United Nations. In conformity with this, they will solve their disputes exclusively by peaceful means and assume the obligation to refrain, pursuant to Art. 2 of the Charter of the United Nations, from the threat of force or the use of force in questions that affect security in Europe and international security, as well as in their mutual relations.

Art. 3.—In conformity with the aforementioned aims and principles, the Union of Soviet Socialist Republics and the Federal Republic of Germany are agreed in the recognition that peace in Europe can be maintained only if no one infringes on the present boundaries.

¹ *Pravda*, Aug. 13, 1970, p. 1; *Current Digest of the Soviet Press*, vol. 22, no. 33 (Sept. 15, 1970), pp. 2-3. The treaty has not entered into force.

² Senate Foreign Relations Committee, *Documents on Germany, 1944-1961* (Com. print, 87th Cong., 1st sess.), pp. 135-187.

They undertake the obligation to respect unreservedly the territorial integrity of all states in Europe in their present boundaries;

they declare that they have no territorial claims whatever against anyone, nor will they advance such claims in the future;

today and in the future they regard the boundaries of all the states in Europe as inviolable, as they stand on the day of the signing of the present treaty, including the Oder-Neisse line, which forms the western frontier of the Polish People's Republic and the boundary between the Federal Republic of Germany and the German Democratic Republic.

Art. 4.—The present treaty between the Union of Soviet Socialist Republics and the Federal Republic of Germany does not affect bilateral and multilateral treaties and agreements previously concluded by them.

Art. 5.—The present treaty is subject to ratification and shall take effect on the day of the exchange of the instruments of ratification, which is to take place in the city of Bonn.

Done in the city of Moscow on Aug. 12, 1970, in two copies, one each in the Russian and German languages, both texts being equally binding.

For the Union of Soviet
Socialist Republics

A. KOSYGIN
A. GROMYKO

For the Federal Republic
of Germany

W. BRANDT
W. SCHEEL

Swedish Technical Working Paper Submitted to the Conference of the Committee on Disarmament: Comparison of Two Systems for Verification of a Comprehensive Test Ban, August 12, 1970¹

1. On August 4, 1970, the delegation of Canada distributed a technical paper entitled "a preliminary assessment of world-wide seismological capabilities in detecting and identifying underground nuclear explosions based on information submitted by co-operating countries in accordance with the United Nations General Assembly resolution 2604 A (XXIV)",² see also Working paper CCD/305, submitted by the delegation of Canada.³ These documents describe the verification capabilities, in terms of seismological body wave magnitudes, of those parts of the present seismographic resources which are explicitly available for a global data exchange. On July 28, 1970, the delegation of the United Kingdom tabled the "Working paper on Verification of

¹ CCD/306, Aug. 12, 1970.

² *Documents on Disarmament*, 1969, pp. 719-722.

³ *Ibid.*, pp. 390-393.

Comprehensive Test Ban Treaty", CCD/296, describing, in terms of explosion yields and body wave magnitudes, the verification capabilities of a hypothetical global system of 26 array stations, of which 19 remain to be installed.⁴

2. The present paper compares the identification capabilities of the two systems in terms of the yield of underground nuclear explosions in hard rock. This is done by interpretation of the body wave magnitude limits given in the two above mentioned papers.

3. The body wave magnitude limits given in the Canadian paper for the present data exchange resources and in the British paper for a system of 26 arrays were interpreted according to one common relationship between yield W in kilotons and body wave magnitude m_b :

$$m_b = 3.49 + 0.93 \log W \pm 0.50$$

obtained as a mean from US explosion yields and Canadian magnitudes. The material used covered yields from 70 to 1200 kilotons and its use here therefore involves some extrapolation. The \pm term above gives the body wave standard deviation for a single measurement at a randomly selected station. In a system of stations it would be roughly inversely proportional to the square root of the number of stations involved. If the stations in the system were individually calibrated for explosion yields, the \pm term would decrease from 0.50 to 0.30. The relationship above is different from the one used in the British document CCD/296, making the magnitudes there lower by about 0.4 units.

4. As a result, the following yield limits for detection and identification of nuclear explosions in hard rock in the Northern Hemisphere were obtained:

	<i>data exchange today</i> <i>26 arrays</i>	
Detection	8 kilotons	3 kilotons
Identification	90 " "	12 " "

5. In view of the considerable uncertainties involved the two identification limits given above should be quoted as a 100 kiloton and a 10 kiloton system respectively. The difference between them is mainly due to the large number of long-period arrays considered in the 26-array system but also due to the fact that the interpreted magnitudes were differently calculated in the two documents studied. The British analysis of the array system has considered the parallel use of several identification methods, whereas the Canadian analysis of the data exchange capabilities considered one identification method only, by body and surface wave magnitudes.

6. The data exchange system would improve if identification by complexity were included and both systems would improve if identification by short period spectral ratio and negative identifi-

⁴Ante, pp. 342-349.

cation by not seeing surface waves were included. The limits would also decrease if the possibilities for effective compounding of identification by different methods and from different stations were further explored.

7. The 90 kiloton limit for the data exchange system mentioned under paragraph 4 above was obtained as a conservative compromise between the 40 and 150 kiloton limits corresponding to the alternative body wave limits 5.0 and 5.5 given on page 10-10 in the Canadian technical document.

8. The 12 kiloton identification limit for the 26-array system corresponds to the body wave magnitude limit 4.5 referred to on page 2 of the British document.

9. Four arrays of the 26 arrays were taken to be located in the USSR. If they were left out, the identification limit in Central Asia would rise to about 20 kilotons.

10. The yield and magnitude material referred to in paragraph 3 above also provided the formula

$$M^* = 2.67 + 1.19 \log W \pm 0.3$$

for the mean vertical Airy phase magnitude of continental Rayleigh waves. The two formulae given above, or other similar ones, can be used for an assessment of explosion identification capability directly in terms of hard rock explosion yields and continental Rayleigh wave magnitudes, thus circumventing the precarious use of various relationships between body and surface wave magnitudes. The use of earthquake body and surface wave data would then be confined to the assessment of the false alarm rate.

United States Working Paper Submitted to the Conference of the Committee on Disarmament: Regional Arms Agreements, August 12, 1970¹

On 19th April, 1966, the US representative to the ENDC, Ambassador William C. Foster, described in the ENDC certain principles for regional conventional arms limitation agreements.² The US continues to believe that these principles could provide the basis for regional conventional arms agreements that would prove universally beneficial by reducing the likelihood and the potential levels of regional conflict. Moreover, we believe that agreements based on these principles would promote rather than undermine the vital interests of all the nations with direct interest in the security of the region concerned. The principles, as set forth in 1966, were as follows:

¹CCD/307, Aug. 12, 1970.

²*Documents on Disarmament*, 1966, pp. 226-230.

First, the arrangement should contain an understanding by the affected countries not to acquire from any source, whether indigenous production or importation, those types of military equipment which they agree to regulate. These would include the types of equipment that the participants decided were not required to meet their security needs, after taking into account the effect of the arrangements on other nations in the region. Restrictions would have to be placed on production as well as importation. It would serve little purpose if a country agreed to forego importation of certain military equipment while at the same time it undertook to manufacture such equipment. Nor would a regional arms race be averted if a country within the region agreed to forego production of certain costly military equipment but then imported it from supplier nations.

Second, the initiative for an arrangement should come from within the region concerned. We have already seen that constructive initiatives in regional arms control are possible. This Committee cannot itself work out measures for particular regions. It can, however, provide encouragement and support. Such support might be furnished by discussing principles such as the ones I am suggesting today.

A third guiding principle is that the arrangements should include all States in the region whose participation is deemed important by the other participants. An arrangement could apply, as agreed by the participants, to either an entire region, a sub-region, or any two or more countries in the region.

Fourth, potential suppliers should undertake to respect the regional arrangement by not supplying the proscribed types of equipment to the affected countries. Suppliers would, of course, be free to continue to assist in the economic development of the affected countries. They could supply equipment of types not proscribed and render other types of support and assistance deemed necessary to meet the defense and internal security arrangements of the affected countries.

Fifth, the arrangement should contribute to the security of the States concerned and to the maintenance of a stable military balance. This principle should assist in guarding against any possible attempts to use regional arrangements to undermine existing security arrangements, contrary to the wishes of the States concerned. In addition, the arrangement should contain enough flexibility to permit adjustment to major changes in the political-military environment.

Sixth, adequate provision should be made for satisfying all interested parties that the arrangement is being respected.

We again commend these principles to the Committee. We note, however, that they relate principally to the general nature of the undertaking rather than to its arms control content. We note also that they do not attempt to suggest means of approaching the goal of regional armament limitation in situations, perhaps more the rule than the exception, in which achievement of a formal multilateral arrangement in one step, and as a first step, is extremely difficult. We therefore propose three more guidelines which touch on these aspects:

1. One or more countries in a region might unilaterally undertake not to acquire certain types of expensive, technologically advanced combat equipment. Countries need from time to time to replace obsolete and worn out equipment and to modernize their forces. It should be possible, however, to distinguish the kinds of equipment suitable for replacing outmoded items in existing inventories from the types of highly sophisticated equipment whose acquisition would alter the balance of military capabilities within a region. The types of equipment that countries might undertake not to acquire would vary depending on the region in question, and it should be recognized

that requirements for weapons systems for a region and within a region will change over time. The cumulative effect of unilateral decisions by a number of countries not to acquire certain categories of arms might well lead to the *de facto* exclusion from the region of major items of military equipment. The resulting stabilization of the arms situation in the region could then serve as the basis for formal agreement constructed along the lines of the principles described by Ambassador Foster.

2. Responding to the initiatives of countries in a region that had taken the unilateral steps described above, states outside the region capable of supplying the equipment in question might similarly undertake, after consultation with the countries having taken the initiative, not to turn over the specified types of equipment to the countries involved. If other major suppliers were to undertake similar unilateral commitments, the effect would be to create a dual guarantee against the acquisition of the specified types of equipment by countries in the region. This double guarantee could be incorporated in an appropriate agreement.

3. Countries might unilaterally undertake to make available to others in the region information regarding national policies as to production, purchase or supply of arms. While they might not wish to divulge order of battle or tables of organization and equipment, they might find no prejudice to their security interests in making known to others major policy decisions affecting acquisitions of armaments. Where appropriate, this information could perhaps be disseminated through existing regional organizations. If the example set by one or more nations in a region were to stimulate others to adopt similar practices, the result might be greater mutual understanding. The countries within a region that were exchanging information on their arms procurement policies might agree, in such an atmosphere, to discuss among themselves policies regarding specified types of equipment that would be most likely to cause new tensions and imbalances in the area. In the end, some degree of uniformity of policy might thus be achieved within the region.

Message From President Nixon to the Senate: Additional Protocol II to the Treaty for the Prohibition of Nuclear Weapons in Latin America, August 13, 1970¹

The White House, August 13, 1970.

To the Senate of the United States:

I transmit herewith Additional Protocol II to the Treaty for the Prohibition of Nuclear Weapons in Latin America, with a view to receiving the advice and consent of the Senate to its ratification.

¹S. Ex. H, 91st Cong., 2d sess. The treaty appears in *Documents on Disarmament, 1967*, pp. 69 ff. Additional Protocol II may be found *ibid.*, p. 83.

The Additional Protocol was signed on behalf of the United States on April 1, 1968.

For the information of the Senate, I transmit also the report by the Secretary of State with respect to the Protocol and a copy of the Treaty to which it relates.

The Treaty for the Prohibition of Nuclear Weapons in Latin America, done at Mexico City February 14, 1967, is the first successful attempt to create a nuclear free zone in a populated region of the world. The Treaty is limited to states located in the Latin American region and is already in force among 16 Latin American nations.

Additional Protocol II is designed for nuclear-weapon states, which are not eligible to sign the Treaty itself. It calls upon them to respect the denuclearized status of Latin America, not to contribute to violation of the Treaty, and not to use or threaten to use nuclear weapons against the Treaty parties.

It is in the best interests of the United States to assume these obligations toward the Latin American countries bound by the Treaty. By creating this nuclear-free zone the nations of Latin America have made an important contribution to peace and security in the Western Hemisphere. Ratification by the United States of Additional Protocol II would not only indicate our support for the Latin American nuclear-free zone but would reinforce our other arms control efforts such as the Non-Proliferation Treaty.

I recommend that the Senate give early and favorable consideration to Additional Protocol II and give its advice and consent to ratification, subject to the statement which accompanies the report of the Secretary of State.² That statement, which is similar to the one made by the United States at the time of signature,³ expresses our understanding concerning territories and territorial claims, transit and transport privileges, non-use of nuclear weapons, and the definition of "nuclear weapon." The statement also reaffirms our willingness to make available nuclear explosion services for peaceful purposes on a nondiscriminatory basis under appropriate international arrangements.

RICHARD NIXON.

Statement by the Swedish Representative (Myrdal) to the Conference of the Committee on Disarmament, August 13, 1970¹

In my statement today I wish to deal mainly with the comprehensive test ban. The Conference of the Committee on

² *Ante*, pp. 318-322.

³ *Documents on Disarmament*, 1968, pp. 204-205.

¹ CCD/PV. 487, pp. 5-15.

Disarmament has been requested by the General Assembly of the United Nations:

... to continue, as a matter of urgency, its deliberations on a treaty banning underground nuclear weapon tests, taking into account the proposals already made in the Conference as to the contents of such a treaty, as well as the views expressed at the current session of the General Assembly, and to submit a special report to the Assembly on the results of its deliberations.²

3. I took the liberty of saying in my last statement, on 21 July, that if the special report thus requested by the General Assembly was not submitted, or if the report was without substance, "that will constitute a particularly glaring failure on the part of our Committee".³ I am glad to be able to note that since I made that statement some development has taken place: valuable documentation has been presented and, not least, we have had an interesting informal meeting on the subject.

4. Nevertheless, the fact remains that, since the conclusion of the partial test-ban Treaty⁴—seven years ago—the United Nations has been urging this body to complete it and arrive at a treaty banning also underground nuclear weapon tests. And each year the Committee has failed to achieve such a measure and has been able to state in its report to the General Assembly only that it has devoted attention to the matter.

5. As things look now, I do not think we would be justified in saying more than that in the special report that we have been asked to submit this year. No attempt at real negotiations on the subject has been made so far, at least not multilateral negotiations. There is thus no sign of a movement forward. Only on the technical aspects of the matter, and more particularly in regard to verification, has the Committee expended some effort during these very last weeks. In particular, the Canadian delegation merits praise for having been so active in this regard.

6. In the special report to the General Assembly we should describe objectively the state of the negotiations on the comprehensive test ban as a whole. I suggest that in the report we indicate the reasons for the lack of progress, for the apparent lack of a genuine willingness to negotiate.

7. What are those reasons? It would be stating less than the obvious if we did not say, I think, that we are waiting for the strategic arms limitation talks (SALT) to give the green light. Some optimistic reports have been circulating in the Press recently indicating that the prospects are rather bright for some sort of agreement between the Soviet Union and the United States as a result, if not of the present round of talks in Vienna, perhaps of the next round, in the late autumn in Helsinki. It is generally agreed that the test-ban issue is closely tied with the subject

² *Documents on Disarmament*, 1969, p. 722.

³ *Ibid.*, p. 333.

⁴ *Documents on Disarmament*, 1963, pp. 291-293.

matter of SALT—that is, the freeze and eventual cut-back of strategic nuclear weapon systems. If such a freeze is obtained it ought, therefore, to be followed more or less immediately by a ban on further testing.

8. This link with SALT ought also to be a reason, I think, why our Committee should be active now and proceed to prepare the ground more thoroughly for the comprehensive test ban to come. We ought to be able to say in the special report that at the moment when SALT achieves its expected results the preparatory work on a comprehensive test ban will be so well advanced as to enable governments to conclude within a very short time a treaty banning underground nuclear weapon tests.

9. That leads me to remind the Committee of the initiative which my delegation took in submitting on 1 April 1969 a working paper with suggestions as to the possible provisions of such a treaty banning underground nuclear weapon tests.⁵ Perhaps I may be allowed to spell out once again the main provisions of our proposal. They are to be found in articles I and II of our suggested treaty text.

10. Article I, paragraph 1 contains the prohibition of all underground nuclear explosions. Paragraph 2 of the same article ensures the prohibition of collaboration with any third party for the carrying out of such explosions. The content of both those provisions is identical with that of corresponding provisions of the partial test-ban treaty. Paragraph 3 of article I is new, however. It provides for exceptions from the general prohibitory rule for explosions for peaceful purposes, on the condition that they are to take place "in conformity with an international agreement to be negotiated separately". I shall return to the subject of the agreement concerning peaceful nuclear explosions later in this statement.

11. To continue the exposé of the Swedish draft treaty of last year I shall turn now to article II, which deals with the vital issue of safeguards. It follows the pattern of other Swedish proposals on verification by constituting a gradual process of measures of increasing severity leading, if necessary, to the ultimate step of bringing to the attention of the Security Council of the United Nations the fact that a party is deemed to have failed to co-operate to the fullest extent for the clarification of a particular event. That provision is contained in paragraph 4 of article II. The preceding paragraphs contain the less drastic and, so to speak, more normal steps in the verification process. Thus, paragraph 1 contains a solemn undertaking by all parties to co-operate in good faith to clarify events. Paragraph 2 comprises an undertaking by all parties to collaborate in an effective international exchange of seismological data in order to facilitate the detection, identification and location of underground events. Paragraph 3 sets out in

⁵ *Ibid.*, 1969, pp. 140-142.

more specific terms the formula by now well known as "verification by challenge". It gives a party that is wrongly suspected of having violated the treaty ways of freeing itself speedily from suspicion. That can be done by a series of steps, indicated in the paragraph, among which the suspected party can choose freely. According to paragraph 3 (a) the step can take the form of explanations. Pursuant to paragraph 3 (b) the party can make use of the possibility of inviting the suspecting party and/or any other State or some international organ to an inspection of the suspected violation, such inspection to be carried out in a manner which the inviting State should prescribe. Finally, under paragraph 3 (c) the parties are entitled to make any additional proposals as to suitable methods of clarification. Under this rule a demand could be made, for instance, for an *ad hoc* inspection on the territory of a suspected party.

12. In a statement before the Committee on 23 May 1969 I tried to deal with the critics of our suggested verification clauses, because they had claimed that the machinery we had envisaged was too weak. I then tried to show, I hope in convincing detail, that it is far from clear that machinery incorporating the unequivocal right to obligatory inspections would give any added assurance against cheating.⁶

13. Since that debate took place here over a year ago there has been further progress on the technical aspects of verification. I should like, therefore, to dwell somewhat on that subject and in so doing to try to apply the method for the analysis of verification problems which was sketched by the representative of the United Kingdom, Mr. Porter, at the informal meeting of this Committee on 5 August. A decision on verification according to that method would fall into three stages. The first would be to decide which of the primarily technical proposals were practicable. The second would be to test the acceptability of these proposals on broad political, social and ideological grounds. In the third stage each government would take the political decision whether the risk inherent in the verification proposal which remained after the two preliminary considerations or assessments was more acceptable than being without any agreement.

14. Consequently, I shall deal first with the developments in the last year concerning the technical possibilities and then with developments, if any, in the political field. These technical aspects were treated more fully at the informal meeting yesterday but I should like to put on record here certain general lines.

15. As we see it, the resources for test-ban monitoring have much improved during the last year and further improvements are in sight. The seismographic resources of many countries and the data available from them are now compiled in the weighty

⁶ *Ibid.*, pp. 219-231.

document presented by the Secretariat in accordance with General Assembly resolution 2604 A (XXIV).⁷ Important resources are thus seen to be available for the implementation of the idea, which has been discussed for a long time, of an organized international data exchange to facilitate the detection and identification of underground events. I can only regret that not all countries have so far seen fit to supply the Secretary-General with information for this listing.

16. We have already learnt in the past that effective identification without on-site inspection has generally been considered possible for explosions in hard rock above some twenty to sixty kilotons. One of the most important tasks remaining has appeared to be the gathering of knowledge about the behaviour of various identification methods at lower explosion strengths. In terms of seismic magnitudes one might say that there appeared to be a magnitude gap to close, a gap from magnitude 4.75 to 4.0. Reports now clearly indicate that the gap is being narrowed by various technical improvements. One such development under way, which may help to close the gap altogether, is the application of the identification method which uses body and surface wave magnitudes in regional measurements, and especially the promising teleseismic short-period spectral ratio measurements. There have also been encouraging reports from the Soviet Union and the United Kingdom on positive developments concerning the way to explain the big differences between the views in the West and in the East respectively on earthquake magnitudes and earthquake statistics. That problem is clearly very important for an assessment in unison of identification capabilities.

17. Another positive development has been the growing interest in and understanding of the large gains in identification capability that can be made when an event is analysed simultaneously with data from several seismographic stations and according to several identification criteria. In discussing the parallel use of several seismographic stations I am closing in on the topic of the very important documents before us about the efficiency of global networks. Canada has prepared a working paper on existing seismological capabilities in detecting and identifying underground nuclear explosions, based on the information submitted by co-operating countries in accordance with General Assembly resolution 2604 A (XXIV).⁸ The United Kingdom working paper deals with verification of a comprehensive test ban through a suggested, more comprehensive global network.⁹ The Canadian document has not only provided us with a timely and much needed inventory of the seismic data exchange capabilities at present available according to the original data contained in

⁷ The resolution appears *ibid.*, pp. 719-722. For the Secretariat report, see A/7967.

⁸ *Ibid.*, pp. 390-393.

⁹ *Ibid.*, pp. 342-349.

document A/7967, but, what is more, our Canadian colleagues have also reduced this large material and have given us an assessment of its detection and identification capabilities. In addition, they have provided us with an excellent discussion of the problems of identification and with a number of important proposals for further research in the area. We are certainly grateful to our Canadian colleagues for this work.

18. We have tried to interpret the Canadian analysis in the working paper which has just been circulated in the official languages and which was presented by my delegation at the informal meeting yesterday.¹⁰ We found that the present data exchange system will have its lower identification limit at about 100 kilotons. That limit appears to us to be rather high but it must be regarded as provisional, as it should become lower after further analysis of the material. That is also pointed out in the Canadian document.

19. The United Kingdom paper in turn contains a study of what would be verified by a global network of twenty-six arrays—nineteen of them remaining to be installed—and a special data processing centre. This idea would, according to our analysis in our working paper, provide us with verification down to explosion yields near ten kilotons, just down to where evasion possibilities seem to emerge.

20. Comparing the United Kingdom twenty-six-array idea and the Canadian analysis of a potential data exchange system based on a certain number of existing stations, one finds that the difference between the calculated identification limits, ten and 100 kilotons respectively, is due mainly to the large number of long-period arrays in the United Kingdom system and to the fact that the Canadian data exchange system analysis takes into consideration one identification method only, whereas the United Kingdom analysis is based on a combination of such methods. By the way, for detection by short-period waves the difference is much smaller—about ten kilotons for the data exchange system and about three kilotons for the twenty-six-array network.

21. The main thing is that both the Canadian and the United Kingdom assessments of capabilities confront us with a political challenge: What is acceptable to us all on political, social and ideological grounds? Are the risks connected with these systems, which are certainly not 100-per-cent perfect, acceptable to us all? Furthermore, are we ready to accept the verification possibilities at present available by data exchange as a sufficient basis for banning underground tests? Or are the prospects better with the United Kingdom proposal?

22. Those questions should be raised immediately as a follow-up to the technical considerations, thus moving us into the second and third stages in the sequence of analysis which I mentioned as

¹⁰ *Ante*, pp. 404-406.

being necessary for proper decisions. I think we may guess that the political acceptability of the system as presented in the Canadian paper is higher than that of the twenty-six-array network as described by the United Kingdom; but we should also conclude that the risks involved would be higher. Even if our answers are not ready today, they should be based on assessments such as those presented to us in the two papers.

23. So much for the developments in regard to the technical aspects of the test-ban verification issue. Now it remains to be asked, have the political chances for the acceptance of the comprehensive test ban advanced during the last year? Here I find that two developments outside the Conference of the Committee on Disarmament seem to signal a more propitious future. Thus, I think we can all note some growth in mutual understanding between the major political Powers. We also all entertain the hope, which I expressed earlier today, that the strategic arms limitation negotiations which are now proceeding will create an increased understanding of the advisability of underpinning the expected arms limitation measures by a ban on underground testing also—indeed, will underscore the high degree of urgency of such a ban as a barrier against a continuing arms race.

24. I should like now to turn to another issue, namely, how to deal with nuclear explosions for peaceful purposes. That subject is already, under present treaty obligations, commanding active attention. When the test ban has been made comprehensive it will become the paramount problem, with practical ramifications. In my first statement to the Committee this year, on 18 February, I suggested that consideration of the nature and content of the special international agreement or agreements to be concluded pursuant to the provisions of article V of the non-proliferation Treaty¹¹ should be initiated during this session.¹² I referred in that connexion to the resolution relating to nuclear explosions for peaceful purposes which was adopted at last year's session of the General Assembly (resolution 2605 B (XXIV), CCD/275).¹³ That suggestion of mine was later supported by other delegations. However, no actual work on the subject has, to my knowledge, been done. It may now be too late for it to be done during this session. Nevertheless, it is a matter which will have to be tackled soon.

25. The text of article V of the non-proliferation Treaty is quite clear. It states that "Negotiations on this subject shall commence as soon as possible after the Treaty enters into force." We are, of course, aware that technical aspects are being dealt with within the framework of the International Atomic Energy Agency (IAEA) in Vienna, as well as bilaterally in talks between the Governments of the Soviet Union and the United States. However,

¹¹ *Documents on Disarmament*, 1968, pp. 461-465.

¹² CCD/PV. 450, p. 15.

¹³ *Documents on Disarmament*, 1969, pp. 725-727.

the form and content of an international agreement between the parties to the non-proliferation Treaty to fulfil the pledge in article V of that Treaty is in the main a political matter and should therefore, in our opinion, be prepared in this Committee—which negotiated the “mother” agreement, the non-proliferation Treaty—for submission later to the General Assembly of the United Nations. As the other outstanding part of the conglomeration of agreements connected with the non-proliferation Treaty—the bilateral agreements on safeguards between the IAEA and the parties—emerges from the IAEA—as we hope it will during the coming months—work should also, I suggest, be initiated and soon concluded on the over-all agreement or agreements on peaceful explosions.

26. I may say in parentheses that the kind of international agreement foreseen to regulate peaceful nuclear explosions is called “special” in the non-proliferation Treaty, but as there is need for specific project agreements, that should really be construed as meaning an over-all or “cover” agreement. I have had occasion earlier, both in this Committee and in the United Nations, to outline the thoughts of my delegation concerning the main lines of such an agreement. I wish to elaborate those thoughts somewhat further today. My delegation intends to pursue this matter during the interval between the end of this session and the Committee’s 1971 session and to revert to it then in greater detail.

27. The Swedish delegation would now suggest that a set of basic considerations be reflected in the agreement, including, first, four considerations which relate to the treaty situation as it is today, when we have the partial test-ban Treaty and the non-proliferation Treaty in force, while it is proposed that two additional considerations should be incorporated, or at least negotiated simultaneously, so as to allow the smooth functioning of the agreement also under the conditions to be established by a ban on underground tests. The points are as follows.

28. First, the disarmament interests must be securely protected in the agreement, which means more specifically, that no conditions should be set which might prejudice the need—which I have stressed throughout my statement today—for a ban on underground nuclear weapons also, through a comprehensive test ban, while allowing for exceptions for desirable peaceful explosions.

29. Second, the provision in article V of the non-proliferation Treaty that the potential benefits of peaceful explosions should be made available to non-nuclear-weapon States on a non-discriminatory basis is particularly important and will have to be laid down as an absolute rule in the over-all agreement, to govern the specific bilateral project agreements also foreseen in article V. At the time when we were negotiating the non-proliferation Treaty I referred to this matter as “the rights of equitable use” of nuclear explosive

devices for those countries also that forgo the production of those devices.¹⁴

30. Third, the decision-taking as to the propriety and priority of a particular project involving a nuclear explosion for a peaceful purpose should be an international, not bilateral or unilateral, responsibility. The need for a decision-taking international body with balanced representation, geographically and politically, should be above dispute.

31. Fourth, the interests of less-developed countries must be particularly protected. That could best be achieved by a system of obligatory licensing of each project, under the responsibility of the international body foreseen under the previous point.

32. Fifth, any obstacles to efficient application of peaceful nuclear explosions, such as cratering projects as well as some other underground explosions, which might lead to violations of the prescription in the partial test-ban treaty against over-border leakages of radioactivity, may have to be removed by amendments. Such amendments can, however, be negotiated only simultaneously with, or after, the agreement on a ban against underground testing. A formula for providing such accommodation is contained in the Swedish suggested draft of an underground test-ban treaty.

33. Sixth, provision should be made so that when a comprehensive test ban has been achieved, national projects also within the nuclear-weapon States will be added to those which have to be licensed by international decisions—that is, in accordance with the last two points.

34. It seems to us that the IAEA will have a very important role to play in connexion with the execution of nuclear explosion projects. Thus, the IAEA must be equipped to observe and control the execution of a project in order to make sure that it is conducted in accordance with existing international rules. The Agency should also be able to help finance such projects as are envisaged to take place in less-developed countries, covering not only the prospecting and feasibility studies and the cost of the nuclear devices themselves but also at least part of the presumably vast and expensive civil engineering work necessary for the successful realization of such projects.

35. On the other hand, there is the political task of finally deciding if a certain project is sound and therefore eligible for international licensing and whether it is, so to speak, “standing in turn” to obtain the necessary nuclear services without any risk of discrimination. That is a task which must be allotted to a separate international body outside the formal framework of the IAEA but inside the framework of the United Nations and in accordance with its Charter. Let me give an example: The IAEA should of

¹⁴ *Ibid.*, 1967, p. 249.

course judge the technical feasibility and also the financial implications of a nuclear project, say, for oil drilling. But another international body would be competent to judge the over-all implications, for instance to the world balance in regard to certain resources, as well as the priorities between different countries for this kind of push to their development.

36. On the selection of the appropriate organ, our delegation has not yet formed any definite opinion and we shall therefore be particularly interested to hear the views of other delegations on that question. It goes without saying, however, that the whole scheme for promoting and governing nuclear explosions for peaceful purposes which I have outlined needs to be discussed in more detail. I wish in this connexion to remind my colleagues that during the negotiations on the non-proliferation Treaty the delegation of Canada presented a blueprint of some main features of the special agreement.¹⁵ What I have wanted to do today is to reintroduce the subject in our debate and raise certain questions of principle in order to ensure some further discussion, to be followed by action in the not-too-distant future.

37. Before concluding, I wish to use this opportunity to add a few words on the two new subjects which the General Assembly at its last session entrusted to the Committee for consideration. I am referring to resolutions 2602 C and D (XXIV) on radiological warfare and military applications of laser technology, respectively.¹⁶ The Swedish National Defence Research Institute has devoted some energy to exploring these subjects. At the outset I should say that its conclusions fit in with those presented by the representative of the Netherlands in its working papers.¹⁷ Therefore, those papers seem to us to provide the Committee with an adequate basis for a report to the General Assembly.

38. Operative paragraph 1 of resolution 2602 C deals with "radiological methods of warfare conducted independently of nuclear explosions". As concluded in the Netherlands paper CCD/291, such a means of warfare does not belong in the category of plausible development. Large quantities of radioactive substances would be needed, such as waste of reactors, or isotopes produced in reactors, for instance cobalt-60. A theoretical example may indicate the magnitude. In order to produce such radioactive waste of reactors needed to block temporarily a terrain area of ten to twenty square kilometers, the total reactor effect available at present in the world would be required. If transportation and dissemination problems are added to those of production, it seems obvious that such a method of warfare would be militarily unattractive.

39. In operative paragraph 2, the same resolution refers to

¹⁵ ENDC/PV. 329, pp. 9-10.

¹⁶ *Documents on Disarmament*, 1969, pp. 712-713.

¹⁷ *Ibid.*, pp. 308-309, 309-312.

"nuclear weapons that maximize radioactive effects". Although the trend in nuclear weaponry is rather towards minimizing such effects, one must assume that there are still a number of old-fashioned, so-called dirty, bombs with large fission fraction, and there is also the possibility of producing weapons with increased fission fraction. However, military and other arguments, as presented in the Netherlands paper, seem to speak convincingly against any development leading to a maximization of radioactive fall-out.

40. Turning now to the arms regulation aspects of radiological warfare, the Swedish delegation agrees with the view of the Netherlands delegation that there is at present no need to discuss particular measures in our Committee.¹⁸ We should like to add, however, that the relevant problems should be kept in mind by the IAEA as regards safeguards concerning the waste and other radioactive products of reactors, and by the nuclear-weapon Powers as regards the desirability of eliminating in the first instance dirty bombs. I would remind my colleagues of the proposal on this last issue which I made in a statement on 14 July.¹⁹

41. The other resolution, 2602 D (XXIV), recommends the Committee to consider "the implications of the possible military applications of laser technology". As rightly pointed out in the Netherlands paper CCD/292, such applications can be divided into three categories: first, the use of lasers as technical means of information—that is, for communication, measuring, surveillance and reconnaissance, missile guiding and target designation, and similar purposes; second, the direct use of lasers as weapons, sometimes called death-rays; and, third, the use of lasers for initiating nuclear fusion—that is, to replace the fission trigger of a thermonuclear weapon. We agree with the analysis in the Netherlands paper of those three categories of use and it would be superfluous to repeat details.

42. Accordingly, the following may suffice on the arms control aspects of laser technology. To try to restrict the first category, the use of lasers as means of information, would be useless and, it seems to me, also out of keeping with the premises on which we try to work on disarmament—that is, to reduce the use of force by regulations as to armies and arms without interfering with techniques which are ancillary in the military field but have importance in civilian fields.

43. The third category of use relating to thermonuclear weapons should not be treated outside the framework of the non-proliferation Treaty but ought, of course, to be kept in mind by everybody concerned—for instance at the non-proliferation Treaty review conferences and constantly within the IAEA. Then

¹⁸ CCD/PV. 478, pp. 10-11.

¹⁹ *Ibid.*, p. 16.

there remains the second category, the use of lasers as weapons proper, which certainly would belong to the agenda of this Committee. However, the stage of development in this field seems not to justify priority for that item at present. Even lasers several orders of magnitude more powerful than those available today could not be termed weapons of mass destruction, but rather would remain within the category of conventional arms. We might indicate in our report to the General Assembly, however, that the latter subject will be kept on our agenda.

Statement by the United States Representative (Leonard) to the Conference of the Committee on Disarmament: Conventional Arms Control, August 13, 1970¹

As we shall observe early next month the twenty-fifth anniversary of the end of the most destructive war in history, I should like to take this opportunity to dwell on the subject of conventional arms control, which, understandably, has been overshadowed in the deliberations of this body by the more urgent nuclear weapons control measures. It is entirely fitting, of course, that the Conference of the Committee on Disarmament has assigned the higher priority to the consideration of nuclear arms and how their awesome destructive power might be mastered by mankind. However, if we are to meet fully the challenge implicit in the General Assembly's naming this decade, the 1970s, the Disarmament Decade we cannot ignore the pressing problem of the control of conventional arms.

45. No international body is more competent to address itself to the issue of conventional arms control than is the Conference of the Committee on Disarmament. Over a period of almost ten years it has familiarized itself with the complex of political, strategic and economic factors involved in disarmament and arms control problems. It has created an atmosphere in which, we hope, these issues can be threshed out with an absence of polemics and a maximum of careful weighing of rational alternatives. Most important of all, this Committee has the responsibility—even the solemn duty—to explore every avenue of approach to the problem of conventional arms control.

46. From time to time various countries have spoken in this forum on the issue of conventional arms control. Over four years have gone by since the United States dealt at any length with this subject. During that period various important first steps have been taken in halting and perhaps reversing the nuclear arms race. The non-proliferation Treaty is now in effect,² and the parties are working out the means for its implementation. The strategic arms limitations talks (SALT) with the Soviet Government are under

¹ CCD/PV.487, pp. 16-22.

² *Documents on Disarmament, 1968*, pp. 461-465.

way and we are hopeful of success in them, as in other arms control measures now being studied elsewhere. I believe it fair to say, therefore, that the Conference of the Committee on Disarmament and other bodies have begun to come to grips with what have been generally recognized as top priority problems in the disarmament field which offer some chance of success.

47. It is time, therefore, that we began in earnest our search for ways of dealing with the threat posed to all of us by the ever-increasing spread and sophistication of conventional weapons. As Mr. Smith said to this Committee on 17 February of this year:

... our focus on nuclear arms and other weapons of mass destruction, important as they are, should not cause us to neglect the problems of conventional arms. Since 1945 there has been no nuclear conflict. There have been many conflicts, often of great intensity, involving conventional arms.³

48. We have been encouraged to note that the representatives of the United Kingdom, Sweden, Romania, Morocco and the Netherlands have expressed similar concern about non-nuclear arms in their remarks before this Committee. A sense of heightened concern is fully merited. Our small and vulnerable planet is the scene of a vast increase in the availability of arms. Since 1964 world arms expenditures have increased an average of about 4 per cent per year in constant dollar terms, as the total in current dollars rose from \$139,000,000,000 to approximately \$200,000,000,000 in 1969. That is a disturbingly large outlay of scarce resources and manpower. By far the greater part of those funds has been devoted to conventional armaments. The record of the past six years shows that while the use of resources for military purposes has kept pace with the expansion of world production, military expenditures have grown at a more rapid rate than the *per capita* gross national product. In other words, the burden of military spending for the individual has increased substantially. That trend has been particularly pronounced in the less-developed countries of the world.

49. Another way of looking at the staggering expenditure of \$1,000,000,000,000 for military purposes during the period 1964 to 1969 is to note that this sum represents more than was spent in the same period on all forms of public education and health care. One may question whether that reflects a reasonable and judicious choice for mankind.

50. What, then, is to be done? First, there should be increasing recognition that time is not on our side. The rapid advances of technology and the diffusion of production know-how in the military armaments field are bound to increase the problems of establishing any kind of regime for conventional armaments. The greater availability of armaments does not lead to a greater sense of security for mankind as a whole. The political constraints that have inhibited some developed countries from exporting arms may

³ Ante, p. 12.

recede. Increasing competition for arms markets may well create new imbalances and may fuel tensions, to the detriment of world peace and security. But a limitation on conventional arms could provide a source of funds to the civilian budgets of all countries concerned. Health, education, public services could all be improved without an increase in a nation's tax revenues. Let us, therefore, not put off the search for ways to limit conventional armaments, which should also improve the economic well-being of the peoples and nations of the world. The longer we wait to address ourselves to a serious search for measures to control conventional arms build-ups, the more difficult will it be to develop some reasonable avenues and approaches promising success.

51. Second, we shall have to recognize that in this area all countries bear some responsibility. Conversely, all countries are capable of contributing to a solution of this universal problem. In our increasingly interdependent world, local or regional arms races not only can affect the stability of a limited area but are capable of escalation into world-wide conflict. Therefore, all nations—arms suppliers, recipients of arms, and international organizations such as this Committee—have a genuine stake in participating in the search for viable approaches. Quite a number of nations have responsibilities under several categories since they not only produce and export arms but are recipients of armaments as well.

52. Arms suppliers bear a heavy responsibility to exercise restraint to ensure that their arms exports do not stimulate arms races or increase the danger of regional conflict. Former Under-Secretary of State Richardson, earlier this year, addressing a symposium of Soviet and American experts devoted to finding new ways to peace, stated that:

...the development of 'spheres of restraint' will require that both major powers recognize that their long-term interests are not furthered by attempts to gain short-term—and often fleeting—advantage.*

53. For arms importers, as for arms producers, the maintenance of national security is imperative. Governments universally are obliged to protect the public order against threats from within and without. It is primarily this objective of preserving national security that has prompted the rapid world increase in armament expenditure in recent years. However, security cannot be achieved by the accumulation of modern armaments alone; security involves movement toward a politically stable, economically prosperous society. Hence, the allocation of national resources must be carefully balanced to ensure that only the minimum needed to meet legitimate security requirements is devoted to arms.

54. Finally, all international organizations devoted to the cause of peace, including of course this Committee, have the duty to

* *Department of State Bulletin*, May 18, 1970, p. 629.

participate in genuine exchanges of views which might result ultimately in effective and mutually advantageous controls in the conventional arms field. Greater attention should be focused on this area to elicit more ideas and proposals, and no concept should be rejected out of hand. Only if many interested Governments are actively engaged in serious discussions can we look forward to developments holding some promise of success. A number of specific proposals in the conventional arms field have already been debated in the United Nations and other forums. Although we must frankly admit that none of them has so far found widespread favour, they have been helpful as a means of drawing attention to the need to move forward in this area.

55. A recurring theme has been that of limiting armaments on a regional basis. Four years ago, the United States representative in our Committee, Mr. Foster, outlined a number of principles which could serve as a guide to regional co-operative undertakings, emphasizing that the initiatives for an arrangement should come from within the region concerned. As Mr. Foster pointed out, "regional initiatives present an opportunity for those countries to play a leading role in the attainment of basic arms control objectives",⁵ while contributing to the security of the region and of the world. My delegation continues to believe that the regional approach is one of the more promising avenues to be explored. As Mr. Smith said to this body on 17 February, the United States stands ready to co-operate to the fullest extent in implementing regional arms control arrangements that might come into being.⁶

56. We realize that regional arms limitation arrangements are difficult to achieve because they invariably touch on sensitive issues of national security. They share this characteristic with other forms of arms control. Despite the difficulties, it is important that opportunities be explored and initiatives taken. It is noteworthy, therefore, that the NATO Foreign Ministers on 27 May called for discussions about the possibility of achieving a greater degree of security through reductions of forces in that area of the world which for decades past has seen great concentrations of conventional military forces.⁷ The Foreign Ministers, who invited interested States to hold exploratory talks on mutual and balanced force reductions in Europe, agreed that any reductions should be compatible with the vital security interests of the alliance, a recognition of the fact that any arms control arrangement must take due account of the vital national interests of all countries concerned. The initiative demonstrated in Europe shows that there is a deep interest in searching for ways to control conventional arms, and it suggests that there may be opportunities worth exploring in other areas as well for discussing regional arms control measures.

⁵ *Documents on Disarmament*, 1966, p. 230.

⁶ *Ante*, pp. 12-13.

⁷ See *ante*, pp. 225-230.

57. The Committee might also wish to study arms control policies which have been adopted individually by various countries with a view to examining whether they might have wider applicability. For example, the arms export policy of the Japanese Government includes a prohibition against exportation of arms to countries engaged in actual hostilities with another country or where the threat of such hostilities exists. For its part, the United States has on many occasions instituted arms embargoes directed at minimizing the effect of regional hostilities. Such an embargo was imposed with considerable success last year in Central America. We have attempted, but often without success, to get other major arms suppliers to deal with regional crisis situations by working out multilateral arms control restraints.

58. The seriousness of United States concern in this regard was underlined by President Nixon in his report to the Congress on "United States Foreign Policy for the 1970s", in which he highlighted "Limiting the Flow of Weapons to Regions in Conflict" as the second of four key arms control issues. The President stated:

When peace is in everyone's interest, we must find a way to control conflicts everywhere. We must not be drawn into conflicts by local rivalries. The great Powers should try to damp down rather than fan local passions by showing restraint in their sale of arms to regions in conflict. We stand ready to discuss practical arrangements to this end.^a

59. I have noted that the responsibility to work towards some form of conventional arms control measures devolves equally on arms suppliers and arms recipients, categories which include almost all countries of the world. At the same time, every country is given the opportunity to make a positive contribution to world peace through engaging in conventional arms control. The nuclear members of the Conference of the Committee on Disarmament have demonstrated their serious purpose in efforts to limit and control strategic nuclear arms. It would be fitting if a complementary effort were now made in the area of conventional armaments, which affect all States and with which all are properly concerned.

60. I hope that members of the Committee will accept these remarks in the spirit in which they are made. I am fully aware that any discussion of possible limitations on conventional armaments touches on the most delicate and most sensitive security interests of members of this Committee. I am aware also that many governments, because of regional security concerns or very specific concerns about their neighbours, approach this general topic hesitantly, with great reservation and perhaps even some misgivings. Those concerns, may I emphasize, are recognized by the United States. We and our allies fully appreciate the important role that conventional armaments have played, and continue to play, in deterring armed aggression, in defeating aggression when it

^a *Ante*, p. 32.

has occurred and in helping to maintain domestic order. But, equally, we cannot afford to stand still. We must strive to find a higher order of security than is currently possible in a world where multilateral conventional arms agreements are virtually absent.

61. I hope that these brief remarks on conventional arms control will contribute to a general discussion, in which many viewpoints can be heard and debated. We would particularly wish to hear about any new aspects or perspectives regarding the general problem.

62. In addition, in order to provide a focus for our future discussions we have thought it appropriate to make available to the Committee, in the form of a working paper, Mr. Foster's list of guiding principles for a regional arms limitation agreement.⁹ The same working paper, which members of the Committee now have before them, includes some ideas on steps that might be taken by one or more countries unilaterally—steps which in their cumulative effect, even without formal, binding agreements, could constitute reliable arms limitations on a regional basis. Among the steps listed are, first, that countries could unilaterally make available to other countries in a region information on their current military armaments and future major procurement, in order to allay suspicions; and, second, that countries could unilaterally undertake to limit the introduction of sophisticated conventional armaments into the region. We recognize, of course, that the direct, multilateral approach to regional arms control is preferable, but at the same time we realize that where that is not feasible the product of many countries acting individually along the same or similar policy lines might have most beneficial results for arms limitation.

63. On 23 June, I outlined in this Committee the kind of world in which general and complete disarmament would, we believe, be possible, noting that it would be a peaceful world in which the rule of law, rather than the use of force, prevailed in relations between sovereign nations.¹⁰ Control of conventional armaments could be a most important, and possibly an essential, waystation on the road to that kind of world. It would contribute in a significant way to a lessening of hostilities and violence in the international arena. The measures we might devise to work towards conventional arms agreements, together with our achievements in the field of nuclear armaments, would thus bring us closer to the time when we could begin to think in concrete terms of general and complete disarmament.

64. If we could now make a major concerted attack on the problem of controlling conventional as well as nuclear weapons, the decade of the 1970s would hold high promise of being a disarmament decade. We could look forward to a world in which

⁹ *Ante*, pp. 406-408.

¹⁰ See *ante*, pp. 248-257.

the threats posed by nuclear and conventional arms races and conflicts would diminish and the security of all would be enhanced. We could look forward to a decade in which more and more resources would be released within individual States for the satisfaction of basic human needs for economic and social progress.

Statement by ACDA Director Smith at the Strategic Arms Limitation Talks, August 14, 1970¹

Foreign Minister Kirchsclaeger, Minister Semenov, ladies and gentlemen: Today we conclude the second phase of talks between the United States and the Soviet Union on limiting strategic arms. For the past 4 months the delegations of the United States and the U.S.S.R. have continued their efforts toward achieving a strategic arms limitation agreement which would benefit both countries and the entire world. I believe that both sides can agree that important progress has been made. The work we have done here in Vienna should provide a sound basis for the next phase of our talks starting November 2 in Helsinki.

In his message which I read at our opening session last April, President Nixon emphasized his firm commitment to the search for an early, equitable, and verifiable agreement on the limitation and eventual reduction of the strategic arsenals of the two countries.² Such an agreement would enhance international security by maintaining a stable strategic relationship between the Soviet Union and the United States. Limiting strategic arms should assist in reducing the tensions and uncertainties which exist in the world today.

Minister Semenov, I should like once again to express my appreciation to you and your delegation for the courtesies you have offered me and my delegation during our negotiations here.

Minister Kirchsclaeger, on behalf of the entire United States delegation, I should like to express through you our sincere appreciation to the Austrian people and their Government for the gracious hospitality shown us here and for the many ways in which our negotiations have been facilitated. I hope that you will enjoy your visit to the United States in September half as much as we have enjoyed our stay here. Your country's neutrality, its beautiful scenery and outstanding cultural facilities, and its warmhearted, friendly people have made your capital city a favorite site for international conferences. In common with all others who have engaged in such international conferences here in Vienna, we have greatly enjoyed our stay in your uniquely attractive and warmly hospitable capital, Vienna.

¹ *Department of State Bulletin*, Aug. 31, 1970, p. 245.

² *See ante*, p. 162

Statement by Deputy Foreign Minister Semenov at the Strategic Arms Limitation Talks, August 14, 1970³

Minister Kirchsclaeger, Ambassador Smith, ladies and gentlemen: On behalf of the delegation of the Soviet Union, I express its gratitude to the President of the Austrian Republic, the Federal Government, and the Austrian authorities for creating favorable conditions for our work here and for their generous hospitality. We feel gratified by the fact that the Austrian public displayed a positive attitude toward the negotiations. We take this as a confirmation of the desire of the Austrian people for strengthening peace and international security and for the implementation of a policy of permanent neutrality of their country.

The negotiations between the delegations of the U.S.S.R. and the U.S.A. were devoted to the task of limiting strategic armaments of the sides. The Soviet Government attaches great importance to an appropriate solution of this problem, which would have an impact not only on the development of relations between the Soviet Union and the United States but also on strengthening peace and international security. It is from this premise that the U.S.S.R. delegation proceeded in its work here.

I can say that the negotiations proceeded in a businesslike, calm, and frank atmosphere. Substantial and useful work was accomplished during the 4 months in Vienna. Naturally, it would be erroneous to underestimate the complexity of the problem under discussion and the difficulties which continue to exist here. Despite their difficulty, the Soviet Union intends to continue the negotiations and seek the necessary results. This, of course, requires efforts on both sides.

The two sides have agreed to resume the talks on November 2, 1970, in the capital of Finland, the city of Helsinki.

In conclusion, I would like to express our gratitude to the delegation of the United States, its head, Mr. Smith, to the members of the delegation, and to the advisers and experts for the joint work accomplished here.

American-Soviet Communique on the Strategic Arms Limitation Talks, August 14, 1970¹

In accordance with the agreement between the Governments of the United States of America and the Soviet Union negotiations took place in Vienna from April 16 to August 14, 1970, on the question of limiting strategic armaments.

The U.S. Delegation was headed by the Director of the Arms

³ *Department of State Bulletin*, Aug. 31, 1970, pp. 245-246.

¹ *Ibid.*

Control and Disarmament Agency, Gerard Smith. Members of the delegation included J. C. Ham Parsons, Paul Nitze, Llewellyn Thompson, Harold Brown and Royal Allison.

The USSR Delegation was headed by the Deputy Minister of Foreign Affairs of the USSR, V. S. Semenov. Members of the delegation included N. V. Ogarkov, P. S. Plashakov, A. N. Shchukin, and N. N. Alekseev.

The delegations were accompanied by advisors and experts.

In the course of the negotiations a wide range of questions dealing with the problem of limiting strategic offensive and defensive armaments was thoroughly considered. The exchange was useful for both sides and made it possible to increase the degree of mutual understanding on a number of aspects of the matters discussed.

Both delegations expressed their determination to pursue the negotiations with the aim of limiting strategic armaments. Agreement was reached that negotiations between the U.S. and the USSR Delegations will be resumed on November 2, 1970, in Helsinki, Finland.

The two delegations express their appreciation to the Government of Austria for creating favorable conditions for holding the negotiations. They are grateful for the traditional Austrian hospitality which was extended to them.

British Proposal Submitted to the Conference of the Committee on Disarmament: Revised Draft Convention for the Prohibition of Biological Methods of Warfare, August 18, 1970¹

The States concluding this Convention, hereinafter referred to as the "Parties to the Convention".

Recalling that many States have become Parties to the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925,²

Recognizing the contribution that the said Protocol has already made, and continues to make, to mitigating the horrors of war,

Recalling further United Nations General Assembly Resolutions 2162 B (XXI) of 5 December 1966,³ and 2454 A (XXIII) of 20 December 1968,⁴ which called for strict observance by all States of the principles and objectives of the Geneva Protocol and invited all States to accede to it,

Believing that chemical and biological discoveries should be used only for the betterment of human life,

¹ CCD/255/Rev.2, Aug. 18, 1970. For previous drafts, see *Documents on Disarmament*, 1969, pp. 324-326, 431-433.

² *Documents on Disarmament*, 1969, pp. 764-765.

³ *Ibid.*, 1966, pp. 798-799.

⁴ *Ibid.*, 1968, pp. 793-795.

Recognizing nevertheless that the development of scientific knowledge throughout the world will increase the risk of eventual use of biological methods of warfare,

Convinced that such use would be repugnant to the conscience of mankind and that no effort should be spared to minimize this risk,

Desiring therefore to reinforce the Geneva Protocol by the conclusion of a Convention making special provision in this field,

Declaring their belief that, in particular, provision should be made for the prohibition of recourse to biological methods of warfare in any circumstances.

Have agreed as follows:

Article I

Each of the Parties to the Convention undertakes, insofar as it may not already be committed in that respect under Treaties or other instruments in force prohibiting the use of chemical and biological methods of warfare, never in any circumstances, by making use for hostile purposes of microbial or other biological agents or toxins causing death, damage or disease to man, other animals, or crops, to engage in biological methods of warfare.

Article II

Each of the Parties to the Convention undertakes:

- (a) not to produce or otherwise acquire, or assist in or permit the production or acquisition of:
 - (i) microbial or other biological agents or toxins of types and in quantities that have no justification for prophylactic or other peaceful purposes;
 - (ii) ancillary equipment or vectors the purpose of which is to facilitate the use of such agents or toxins for hostile purposes;
- (b) not to conduct, assist or permit research aimed at production of the kind prohibited in sub-paragraph (a) of this Article; and
- (c) to destroy, or divert to peaceful purposes, within three months after the Convention comes into force for that Party, any stocks in its possession of such agents or toxins or ancillary equipment or vectors as have been produced or otherwise acquired for hostile purposes.

Article III

1. Any Party to the Convention which believes that biological methods of warfare have been used against it may lodge a complaint with the Secretary-General of the United Nations, submitting all evidence at its disposal in support of the complaint, and request that the complaint be investigated and that a report on the result of the investigation be submitted to the Security Council.

2. Any Party to the Convention which believes that another Party is in breach of any of its undertakings under Articles I and II of the Convention, but which is not entitled to lodge a complaint under Paragraph I of this Article, may lodge a complaint with the Security Council, submitting all evidence at its disposal, and request that the complaint be investigated.

3. Each of the Parties to the Convention undertakes to co-operate fully with the Secretary-General and his authorized representatives in any investigation he may carry out, as a result of a complaint, in accordance with Security Council Resolution No. . . .

Article IV

Each of the Parties to the Convention affirms its intention to provide or support appropriate assistance, in accordance with the United Nations Charter, to any Party to the Convention, if the Security Council concludes that biological methods of warfare have been used against that Party.

Article V

Each of the Parties to the Convention undertakes to pursue negotiations in good faith on effective measures to strengthen the existing constraints on chemical methods of warfare.

Article VI

Nothing contained in the present Convention shall be construed as in any way limiting or derogating from obligations assumed by any State under the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925.

Article VII

[Provisions for amendments.]

Article VIII

[Provisions for Signature, Ratification, Entry into Force, etc.]

Article IX

1. This Convention shall be of unlimited duration.

2. Each Party shall in exercising its national sovereignty have the right to withdraw from the Convention, if it decides that extraordinary events, related to the subject matter of this Convention, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Convention and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

Article X

[Provisions on languages of texts, etc.]

**British Proposal Submitted to the Conference of the Committee
on Disarmament: Revised Draft Security Council Resolution
on Biological Warfare, August 18, 1970¹**

The Security Council,

*We*lcoming the desire of a large number of States to subscribe to the Convention for the Prohibition of Biological Methods of Warfare,² and thereby undertake never to engage in such methods of warfare; to prohibit the production and research aimed at the production of biological weapons; and to destroy, or divert to peaceful purposes, such weapons as may already be in their possession,

Noting that under Article III of the Convention, Parties will have the right to lodge complaints and to request that the complaints be investigated,

Recognizing the need, if confidence in the Convention is to be established, for appropriate arrangements to be made in advance for the investigation of any such complaints, and the particular need for urgency in the investigation of complaints of the use of biological methods of warfare,

Noting further the declared intention of Parties to the Convention to provide or support appropriate assistance, in accordance with the Charter, to any other Party to the Convention, if the Security Council concludes that biological methods of warfare have been used against that Party,

Reaffirming in particular the inherent right, recognized under Article 51 of the Charter, of individual and collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.

1. Requests the Secretary-General

(a) to take such measures as will enable him

(i) to investigate without delay any complaints lodged with him in accordance with Article III.1 of the Convention;

(ii) if so requested by the Security Council, to investigate any complaint made in accordance with Article III.2 of the Convention; and

(b) to report to the Security Council on the result of any such investigation.

¹ CCD/255/Rev.2, Aug. 18, 1970. For previous drafts, see *Documents on Disarmament*, 1969, pp. 327, 433-434.

² *Supra*.

2. Declares its readiness to give urgent consideration

(a) to any complaint that may be lodged with it under Article III.2 of the Convention; and

(b) to any report that the Secretary-General may submit in accordance with operative paragraph 1 of this Resolution on the result of his investigation of a complaint; and if it concludes that the complaint is well-founded, to consider urgently what action it should take or recommend in accordance with the Charter.

3. Calls upon Member States and upon Specialized Agencies of the United Nations to co-operate as appropriate with the Secretary-General for the fulfilment of the purposes of this Resolution.

British Working Paper Submitted to the Conference of the Committee on Disarmament: Verification of Chemical Weapons Arms Control Measures, August 18, 1970¹

1. Any consideration of the possibilities of verifying an arms control agreement in the field of C and BW must take account of all possibilities, both political and technical, by examining the feasibility of available technical methods in the light of existing political constraints.

2. The verification requirements can be simply stated in the form of a question: "What technically feasible, and politically acceptable, measures would be adequate to guarantee any international agreement for chemical and biological arms control at the present time?" This paper sets out to examine in this light and in a preliminary way a number of suggested techniques as a contribution to informal discussion of the subject.

3. In the case of BW which is not yet established as a military weapon, we have made it clear that we consider that no verification of production, testing and stockpiling is possible, but that the complaints procedures associated with the UK draft Convention on Biological Methods of Warfare,² and designed to deter any would-be violators, would reduce the risk of accepting an unverified Convention to a level which would be acceptable at the present time.

4. Chemical weapons, on the other hand, were used extensively in the First World War, and stockpiles of vastly more lethal CW agents exist today and military doctrine openly envisages their use on an extensive scale in war. The fear of this is enough to lead a number of states to develop and deploy expensive defensive equipment. Verification of a CW agreement covering the produc-

¹ CCD/308, Aug. 18, 1970.

² *Ante*, pp. 428-431.

tion, testing and stockpiling, as well as use, of CW would therefore need to be extremely reliable before the risk of entering into such an agreement could be reduced to an acceptable level. This is the problem we must try to solve.

Requirements:

5. To ensure compliance with any CW agreement, one might need to verify, to an acceptable level of risk, all or any of the following:

(a) that existing weapons or their component parts have been destroyed and/or that no such weapons or component parts are held;

(b) absence (or cessation) of production of CW agents at declared facilities;

(c) absence of any undeclared production, testing and storage facilities. Verification measures involving even a modest degree of intrusiveness appear to be unacceptable to a number of states. Direct confirmation that international agreements were not being broken might thus have to depend entirely on information obtained by external means, and the only such means so far suggested are observation satellites and remote sensors.

Observation Satellites:

6. This possibility has been carefully studied. In our view detection of CW field tests by this technique presents serious difficulties. First the possible test site itself must be detected (and it may not require fixed installations). Then the tests themselves must be detected, and differentiated from other possible types of field tests, including tests of CW defensive equipment. Additionally, one must assume that a state wishing to test in contravention of an agreement will attempt to conceal the fact—as, for example, by testing at night or in conditions of cloud cover. Altogether it would seem that the likelihood of detecting field tests by satellite observation would be very low. Identification by satellite photo-reconnaissance of a chemical agent plant (which might be part of a large industrial complex) would be even more difficult.

Atmospheric Sensors:

7. We have also looked into the possibility of identifying the minute atmospheric concentrations in which chemical agents resulting from field tests might reach extra-territorial detectors. Here we are faced with the problems of discriminating such concentrations from a background of normal industrial air pollution. An indication of the atmospheric concentrations in which agents might occur at various distances from a field test may be obtained by extrapolation of data published by the Swedish Defence Research Institute. This gives the concentration

at various distances downwind of an initial airborne source of 10 kg of an involatile agent; by about 7 km the concentration is only 0.05 mg/cu. metre, and simple extrapolation gives a concentration at 50 km of the order of 10^{-12} mg/cu.m (a million millionth of a milligramme). This rough estimate is given to indicate the order of magnitude of the problem of remote detection—the exact values are not important.

8. At the far greater distances at which sensors would probably have to operate, the concentration would not only be much lower by reason of simple dilution, but important additional factors could reduce it still further: for example, wash-out by precipitation, and horizontal separation of air masses, with subsequent differing wind directions at different levels. The effect of dilution could, in theory at least, be offset by the sampling and concentration of very large volumes of air, but even if this were practicable it seems unlikely that it could compensate for extreme dilutions.

9. Because of the mass of other chemical and biological pollutants in concentrated air samples, highly specific and sophisticated analytical techniques would have to be developed. The only technique which currently appears feasible is the use of gas-liquid chromatography incorporating a phosphorus detector, followed by the examination of appropriate fractions by mass spectrometry to identify the actual nature of the phosphorus-containing material by comparison with the spectra of known compounds. However, it is not known whether the sensitivity of even such an advanced technique would be sufficient, and its practical application would pose many problems. For example, if the sensitivity of a technique were of the order of 10^{-9} mg (i.e. not less than a millionth of a milligramme could be detected) then in order to detect the field test quoted earlier, at only 50 km from the source a million cubic metres of air would have to be concentrated to give a detectable sample. This also assumes that the large quantities of other pollutants which would thereby be concentrated would not interfere with the detection process.

10. Positive results, assuming that sufficiently sensitive techniques were developed in the future, would also demand an assessment of the source of the material detected. This would certainly require the provision of extensive meteorological data (from within the suspected neighbouring country) and even then might prove impossible in the present state of the art.

Effluent Sensors:

11. The possibility of establishing the existence of a chemical agent production plant by the detection of unique indicators (if they exist) in rivers downstream of an effluent discharge has also been suggested, though this technique has yet to be fully evaluated.

12. Large scale production of nerve gases might be possible at only a relatively few riverside sites in any particular country. However, a factory in which these agents were made might also manufacture unobjectionable phosphorus compounds, resulting in an effluent discharge analogous to that from nerve gas manufacture. Thus, as well as having a high dilution in the effluent of nerve gas products or their intermediaries, there is also the likelihood of other waste products having similar chemical properties. Such a complication would be further exacerbated if the plant were situated in an industrial complex such as those found on major rivers. Similar considerations would apply to the detection of effluent discharged in the sea.

13. Should particular agents be made on a smaller scale, the effluent might be run to a sewage disposal system where its dilution would become enormous. Of course, as in the case of the US Newport Chemical Plant described in the US Working Paper CCD/293,³ a nerve gas plant could dispose of waste products into deep wells rather than by discharge into a river or the sea.

Defensive Measures:

14. If all the techniques discussed above were developed and applied, the almost insoluble problem would remain of attempting to prove a negative, especially from limited and uncertain indicators.

15. Where access to deployed military forces was not possible, confirmation of the *absence* of chemical weapons or of destruction of stocks could not be guaranteed. A consequence of this might well be the continued development and issue of defensive equipment, and its use in training exercises. Evidence of such defensive training alone provides no proof of the possession, or lack, of offensive C weapons; the use of chemical weapon simulants, for example, could either be a means of reinforcing defensive measures, or of providing practical training in the employment of actual chemical weapons.

16. On the other hand, the continued absence of chemical defensive equipment and associated training from the military forces of a state might well contribute, in conjunction with other factors, to confidence in the absence of a chemical weapon capability. However, the collection of such information would necessitate a reduction in the level of the political constraints implied in the preceding discussion, and one must accept that a CW agreement would need to take account of the degrees of access which differing political systems allow.

The Problem of Access:

17. Many of the verification suggestions already made in the Committee, for example the control of phosphorus production

³ *Antic*, pp. 323-326.

(suggested by the Delegation of Japan), a system of openness and reporting (outlined by the Swedish Delegation), and a variety of on-site inspection procedures (discussed by the USA, and included in the SIPRI Report Part IV), would either require a high degree of intrusiveness or depend to a considerable extent on the availability of detailed published information. This might involve, for example:

- (a) budgetary and fiscal information on defence research, development and production;
- (b) identification of likely targets for on-site inspection;
- (c) examination of statistics of chemical industry production and distribution;
- (d) access to, and monitoring of, national transportation networks;
- (e) examination and sampling of effluent disposal systems at suspected sites;
- (f) direct inspection of plant and equipment at suspected sites;
- (g) examination and identification of raw materials entering suspected sites.

18. A number of these factors have already been examined, both in interventions and in working papers laid before the Committee. But to take the single example of (d), that of national transport networks, the size of the task involved—quite apart from the question of the political conditions in which close observation of trains and roads would be possible—can readily be illustrated. There were for example in the UK at the end of 1969, 12,098 miles of major rail routes, and 19,000 rail bulk liquid carriers (tank cars). On the roads, there were estimated to be upwards of 20,000 licensed road tankers.

19. A nation intending to contravene a ban on the production of Chemical Weapons need not, of course, move the necessary raw materials or finished agents by means of such obvious verification targets as tank cars or road tankers. Almost any road or rail vehicle, and many aircraft, could carry containers or such materials or agents.

20. Clearly some of the techniques listed above might have considerable relevance in certain circumstances, for example where a state wished to invite inspection of a particular facility in order to disprove allegations by others; but not all of them would be practicable. Equally, by no means all states would seem likely to accept the application of such techniques where they themselves are concerned.

21. *We conclude, therefore, that considerable problems still lie ahead if the verification requirements for an acceptable CW agreement are to be met. It is, however, the intention of the United Kingdom to consider every approach, both technical and political, which might help to achieve the goal of an effective abolition of the possibility of chemical as of biological warfare.*

**Statement by the British Representative (Porter) to the
Conference of the Committee on Disarmament: Biological and
Chemical Weapons, August 18, 1970¹**

I should like this morning to introduce a revised text of the United Kingdom draft convention for the prohibition of biological methods of warfare²; and also to submit formally our working paper on certain political and technical aspects of chemical weapons verification.³

11. We felt that it would be helpful at this stage to ask the Secretariat to issue a second revised text of our biological warfare convention, taking into account the amendments which we accepted on 16 July.⁴ These, the Committee will recall, were proposed by the delegations of the United States and the Netherlands. The United States proposed to bring toxins within the scope of the convention's prohibition by adding the words "or toxins" to articles I and II (a) (i) and consequentially dropping the phrase "by infection or infestation" from article I.⁵ The Netherlands delegation proposed the deletion of the word "independent" from article II (a) (i).⁶

12. I said on 16 July that some further editorial changes might prove necessary, and we have in fact thought it advisable, in order to avoid any possibility of confusion, to add the words "or toxins" after the word "agents" throughout article II—that is, in paragraphs (a) (ii) and (c) in addition to paragraph (a) (i).

13. We have also taken the opportunity to alter very slightly the wording of article III, paragraph 2, in order to avoid what could have been an ambiguity. That paragraph now begins:

"Any Party to the Convention which believes that another Party is in breach of any of its undertakings under articles I and II of the Convention . . ."

instead of, as before:

"Any Party to the Convention which believes that another Party has acted in breach of its undertakings under articles I and II of the Convention . . ."⁷

14. I should like now to turn to the question of verification. What we call for the sake of brevity "verification" may take different forms, depending, for instance, on the weapon concerned and the general political circumstances in which a treaty is being concluded. But the aim, as we see it, is always the same—that is, to build into any treaty realistic proposals which will be sufficient to

¹ CCD/PV.488, pp. 7-11.

² *Ante*, pp. 428-431.

³ *Supra*.

⁴ *Ante*, p. 329.

⁵ *Ante*, pp. 276-277.

⁶ *Ante*, p. 98.

⁷ *Documents on Disarmament*, 1969, p. 432.

deter would-be violators, and so help to reassure all parties that their confidence in the treaty is well-founded and that it is contributing to national and international security.

15. In the case of chemical weapons we are in full agreement with the view expressed in the working paper submitted by the representative of Italy on 6 August to the effect that—

“... the establishment of an effective system of controls is still the major problem among those that the Committee will have to solve with a view to achieving an agreement for the prohibition of chemical weapons”.⁸

In presenting to the Committee this morning our own working paper on certain technical and political aspects of chemical weapons verification I should like to set out briefly our ideas for a three-stage process which might help us to assess and reduce the now great number of verification proposals which are before us relating to chemical and biological weapons. Some are verification proposals in the true sense of the word: some, like the complaints procedure in our own draft convention for the prohibition of biological methods of warfare, fall short of that. Some are primarily procedural, others primarily technical. I outlined this process at our informal meeting on chemical and biological warfare on 5 August, and was happy to see that the representative of Sweden, Mrs. Myrdal, applied it also to the comprehensive test ban in her statement on 13 August.⁹

16. The first step, as we see it, is to decide which of the primarily technical proposals before us are in fact practicable from the technical point of view in existing conditions. In that we are greatly helped by our experts, and I am disappointed that a number of delegations which could make a valuable contribution still seem to shy away from joining in our examination of those technical proposals, arguing that we are merely postponing a political decision. As we see it, the procedure we are following is the only sure way of preparing for such a political decision. We would, I feel, be deluding ourselves if we imagined that the technical problems would just vanish if a political decision was taken. If that were the case, our work in the Conference or the Committee on Disarmament would be much simpler. Those of us who are examining, with the help of our experts, the proposals which have been put before us are not, as some delegations have suggested, adopting a negative attitude towards the problem. I think members of the Committee would agree that we would not bring an agreement any nearer, any more quickly, by continuing to discuss technical proposals for verification which our scientists had already told us were not technically feasible.

17. Equally, it would be no use elaborating a verification procedure which would satisfy one's own requirements if that

⁸ *Ante*, pp. 388-389.

⁹ *Ante*, pp. 409-420.

procedure would be unacceptable to other parties. When we have eliminated by the first stage those proposals which are not practicable from the technical point of view, the second stage in the process I am suggesting would be to apply to those which remain the test of political, social and ideological acceptability. We should not overlook the *caveat* in the report of the Stockholm International Peace Research Institute (SIPRI) on chemical and biological warfare that:

"It is impossible to say flatly that verification is or is not feasible . . . that depends on the political conditions you postulate: it is necessary to assess the balance between technical means and political obstacles."¹⁰

18. We should not underestimate those obstacles, which are rooted in the political, social and ideological character of States. Just as the political decision to deploy certain verification methods depends to some extent on the technical practicability of those methods, so their acceptability depends in turn upon pre-existing conditions in the societies of potential parties to the agreement. Such conditions evolve slowly at the best of times and are not likely to be changed overnight as the result of a simple decision to conform to the verification procedures of an arms control agreement. One cannot, for instance, just write openness of information into a treaty if the preconditions for it do not exist. There is no point in writing on-site inspection or verification primarily by national means into a treaty unless the principal potential parties are ready to accept it. Some countries would make the Security Council a primary part of the verification procedure; others would be less inclined to do so. One cannot discount the hard political facts from which those attitudes stem and which must necessarily have their effect on our work here.

19. We come now to the third stage. We would start that final stage with measures which would be both practicable and available rather than, as at the beginning of the process, with a list of measures which would be ideally desirable or which would meet the particular requirements of only one State or group of States. At that third and final stage it would be for each government to decide whether it could take the risk involved in accepting whatever verification procedure might be constituted from some or all of those remaining measures. For no verification procedure is perfect, of course. And, as Mrs. Myrdal mentioned in her statement on 13 August, each government will have to take the political decision whether the risk inherent in the verification proposals remaining after the first two stages is more acceptable than being without any agreement.

20. The decision will be a political one but it will be a decision, not an act of faith, and it will therefore have to take into account

¹⁰ *The Problem of Chemical and Biological Warfare* (prov. ed.), pt. IV, p. 55.

a number of factors. There are political considerations, for instance, including the degree of confidence existing between the potential parties to the agreement. There are military considerations, including the nature of the weapon in question, and, most important perhaps, there are considerations of international security. Each government must ask itself whether such-and-such a treaty, incorporating such-and-such a verification procedure, will improve international security, stability and confidence: whether it will be a stabilizing or a de-stabilizing influence in world affairs.

21. In our working paper presented this morning we have set out to examine in the light of the first and, to some extent, the second phase of this three-stage approach one or two primarily technical proposals made by others in the chemical weapons context. We have based ourselves on what seems technically and politically possible now or in the near future. The proposals we have examined involve the monitoring of chemical weapons production and field testing by the use of observation satellites and atmospheric or effluent sensors. We have tried to evaluate the likely technical feasibility of those methods and have then gone on to consider some of the political considerations which would affect, or even determine, their availability.

22. I hope that the Committee can agree to continue this process of evaluation. It would, I believe, provide us with a better idea of the verification methods available to us in support of an arms control agreement covering chemical weapons.

Italian Working Paper Submitted to the Conference of the Committee on Disarmament: Comprehensive Program of Disarmament, August 19, 1970¹

The Italian delegation considers that the Conference of the Committee on Disarmament should increase its efforts to give effect to resolution 2602 E concerning the question of general and complete disarmament adopted by the United Nations General Assembly at its twenty-fourth session.²

The part of that resolution which seems to us most faithfully to reflect the arguments presented in the United Nations by a large number of countries wishing to give a fresh impetus to the disarmament negotiations is to be found in paragraph 4 of the operative part.

The instructions given in that paragraph are closely related to the proposals for the preparation of a comprehensive programme of disarmament submitted by Italy at Geneva at the two preceding

¹ CCD/309, Aug. 19, 1970.

² *Documents on Disarmament*, 1969, pp. 713-715.

sessions of the Conference (see Working Papers ENDC/245 of 21 April 1969 and ENDC/263 of 23 August 1969).³

With a view to facilitating the opening of a highly desirable discussion on this comprehensive programme of disarmament, the Italian delegation, as members of the Conference are aware, has at the present session taken the initiative of organizing contacts with a number of other interested delegations with the idea of engaging in exchanges of view such as may give rise to a basic plan for possible subsequent discussion by the Conference.

The Italian delegation has already described, in its statement of 2 July 1970,⁴ the nature and characteristics of the outline which was jointly prepared, and which is reproduced below.

Preliminary considerations representing, in general terms, the views of a number of delegations with which the delegation of Italy has been in consultation.

A. Goal, principles and mandates

United Nations General Assembly resolution 1378 (XIV) of 20 November 1959 and the Joint Statement of Agreed Principles of 20 September 1961 (ENDC/5), endorsed by United Nations General Assembly resolution 1722 (XVI), represent the basis for disarmament negotiations and for new efforts towards general and complete disarmament under effective international control. Draft treaties on general and complete disarmament were presented in 1962 by the Soviet Union (ENDC/2/Rev.1)⁵ and the United States (ENDC/30 and Add.1-3).⁶ Several countries suggested that these draft treaties could be revised and brought up to date.

United Nations General [Assembly] resolution 2602 E (XXIV) of 16 December 1969 requests the Conference of the Committee on Disarmament: '... to work out ... a comprehensive programme, dealing with all aspects of the problem of the cessation of the arms race and general and complete disarmament under effective international control, which would provide the Conference with a guideline to chart the course of its further work and its negotiations ...'

Both in the Agreed Principles and in resolution 2602 E (XXIV) it is recognized that negotiations should continue with a view to reaching agreements on partial or collateral measures, facilitating and forming part of a programme of general and complete disarmament under effective international control.

B. Main elements of the programme

Progress in disarmament is not an isolated matter but is intimately connected with and influenced by problems of international peace and security and the peaceful settlement of disputes.

In order to establish the international climate of confidence and good will necessary for progress, specific measures to build up confidence should urgently be agreed upon, including special studies on certain subjects.

While progress is being made to build up confidence, the States members of the Conference of the Committee on Disarmament should engage themselves to negotiate meaningful measures to prevent and limit armament as well as measures of disarmament, taking into account, *inter alia*, the special studies mentioned above.

In the achievement of general and complete disarmament under effective international control through measures to prevent and limit armament as well as through measures of disarmament, there should be a balance among these categories of measures.

C. Phases of the programme

The need for flexibility has been generally recognized. The highest priority should be

³ *Ibid.*, pp. 189-191, 426-430.

⁴ *Ante*, pp. 277-282.

⁵ *Documents on Disarmament*, 1965, pp. 77-102.

⁶ *Ibid.*, pp. 111-140.

accorded to measures for the cessation of the nuclear arms race and for nuclear disarmament. Taking into account the Agreed Principles and the United Nations General Assembly resolutions mentioned above, and further taking into account agreements already achieved on collateral measures, the Conference of the Committee on Disarmament should envisage dealing in successive phases with the main elements mentioned under the second paragraph. An attempt should be made to decide upon these various phases and to outline the possible content of each phase.

A review of the programme of disarmament could take place each year in the First Committee of the United Nations General Assembly.

D. General considerations

Various problems closely related to disarmament negotiations would have to be examined. The following points were tentatively singled out for further discussion and elaboration: priorities, balance, verification, regional arrangements, universal participation, public opinion and methods of work.

The Italian delegation considers that this document should be exhaustively discussed by the Conference, and it wishes that all delegations would contribute to the consideration of the problem dealt with. For its part, and to facilitate the development of the ideas summarily expressed in the text, we should like to present our observations on some main points and, in particular, on Section B, entitled "Main elements of the programme":

In our opinion, the Conference should adopt a programme to guide its work and future negotiations, as recommended by the above-mentioned General Assembly resolution. The programme, in the preparation of which all governments members of the Conference should participate, might include the items indicated in the text prepared by the interested delegations. These items come under Section B and may be summarized as follows:

- measures for increasing international confidence;
- studies on particular points;
- measures to prevent and limit armament;
- disarmament measures;
general and complete disarmament.

Each of the items in this list might provide the basis for the subsequent more thorough consideration which is necessary for establishing the programme.

(1) Measures for increasing international confidence

The development of the international situation and the improvement of confidence among States will obviously have a direct and favourable effect on the work of the Conference. The Conference should and can, however, contribute to the increase in international confidence by adopting a programme of work defining its undertakings and aims.

(2) Studies

The Italian delegation believes that, with a view to helping to create favourable conditions for negotiations, the Conference of the Committee on Disarmament might now initiate programmes of

studies relating to the question of the reduction of armed forces and conventional armaments. Negotiations might also benefit from a preliminary work which would provide necessary clarification of certain important aspects of that question.

In connexion with the above programmes, the Conference might in particular examine the following points in depth:

(a) Relationship between nuclear disarmament and the beginning of reductions in conventional means of warfare;

(b) Determination of the geographical areas within which the first reductions in conventional means of warfare would take place. In other words, the Conference should address itself to the question whether the first "round" of reductions affecting armed forces and conventional armaments should be global in scope and apply to all States without distinction or whether it should initially apply only to some States. In the latter case, it would be necessary to study the criteria to be used for determining the States to which this first "round" of reductions would apply. Such States might be the principal world military Powers, or they might be States determined on the basis of a criterion that provides for the reduction of armed forces and conventional armaments in a particular regional context. Before negotiations began, it would be necessary to clarify this important question of principle, for it is on the answer to this question that the political dimensions of the problem will depend. The nature of the negotiations would vary in more than one respect depending on whether the reductions to be negotiated applied to more or less numerous States and whether those reductions would be partial or global. (It should be noted, by the way, that the United States draft treaty on general and complete disarmament provided that the first phase of the reductions would be applicable only to some of the States parties to the treaty);

(c) Elaboration of technical criteria necessary for the implementation of reductions (categories of armaments to be reduced, levels, initial declarations, unit of measurement to be used in reductions, extent of reductions, creation of a disarmament organization, verifications, etc.);

(d) Relationship between armament reductions and controls.

(3) Measures to prevent and limit armament

This concerns mainly the "collateral" measures to which the Conference has devoted most of its efforts since the start of the discussions concerning the two draft treaties on general and complete disarmament of 1962. Negotiations on these collateral measures were moreover envisaged in paragraph 8 of the USSR-United States Joint Statement of 1961.⁷ In spite of the fact that the procedure of negotiating collateral measures has caused

⁷ *Ibid.*, 1961, pp. 439-442

certain imbalances which are not insignificant, it has had positive results, as is shown by the conclusion of some important international agreements. These collateral measures have, in addition, made another positive contribution: that of reviving hope for the resumption of discussions on general and complete disarmament. Nevertheless, the Italian delegation feels that the Conference should make a maximum effort to pursue negotiations on measures designed to prevent and limit armament. Among such measures, and apart from those which are now the subject of active negotiations (denuclearization of the sea-bed and ocean floor, and prohibition of chemical and biological weapons), the most important and most urgent are the following: cessation of the production of fissionable materials for military purposes, and agreement on the total prohibition of nuclear weapon tests. In the opinion of the Italian delegation, the Conference, in adopting its programme of work, should expressly confirm the fact that it is giving priority to negotiations relating to these two measures so necessary to the cessation of the nuclear arms race.

(4) *Disarmament measures*

The Italian delegation would like to reaffirm that the *raison d'être* of the Conference of the Committee on Disarmament is to negotiate disarmament measures, i.e. effective reductions of armed forces and armaments. Such negotiations must begin as soon as possible. They could obviously be facilitated by the creation of an international climate of increased confidence and by the completion of the studies referred to above. Although it would be difficult to fix a precise time-limit for the start of these negotiations, we feel that it would be extremely useful if a specific commitment on the subject were assumed now. This would have the important result of reassuring public opinion, which is demanding more effective action by the CCD on disarmament. Such a commitment would be an incentive to Governments to take the necessary decisions, an incentive that would be strengthened if the commitment were assumed collectively by the States members of the Committee on Disarmament, which is the competent body for disarmament negotiations.

Accordingly, at the time it adopts its own programme, the CCD should—in the opinion of the Italian delegation—give expression to the commitment of its States members to open negotiations on a first “round” of reductions of armed forces and armaments. This would better ensure a balance among the various categories: preventive, limitative and effective measures of disarmament.

(5) *General and complete disarmament*

General and complete disarmament is the final goal of all CCD negotiations; and that has recently been confirmed by General Assembly resolution 2602 E. Consequently, a re-examination of general and complete disarmament plans by the CCD, as suggested

by some delegations, should reflect the will of the States members of the CCD to pursue that objective. So far as the Italian delegation is concerned, it believes that it will be necessary for the CCD to bear in mind past experience so as to be able to resume the discussion on new bases. With that in view, and taking as its point of departure the USSR-United States General Statement of Agreed Principles of 20 September 1961, the CCD might adopt a more articulated directive for the elaboration of a "programme" in line with that joint statement. A single treaty could hardly govern the implementation of the process of disarmament in all its phases. The "programme" should therefore serve as an overall agreement whose purpose would be to lay down in broad outline the approach to general and complete disarmament: it might envisage the conclusion of a series of treaties or agreements relating to the various phases of effective implementation of disarmament. This would avoid the rigidity inherent in a single treaty and the difficulty of discussing problems which are not ready for negotiation. At the same time, it would maintain the concept of a prior commitment with respect to the evolution of the whole process, in its successive phases.

As regards the nature of the programme which the CCD should adopt, the Italian delegation feels that it should be both a programme of work and a commitment: a *programme of work* with respect to negotiations on the categories of measures being examined and to the suggested studies on international disarmament, and a *commitment* to open negotiations on a first round of reductions of armed force and armaments.

Finally, as to the form of the programme, we might consider, among other solutions, a joint statement of the Governments members of the CCD or, more simply, the adoption by the CCD of its own programme of work.

Message From President Nixon to the Senate: Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous, or Other Gases, August 19, 1970¹

The White House, *August 19, 1970.*

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva June 17, 1925.² I transmit also the report by the Secretary of State which

¹ S. Ex. J, 91st Cong., 2d sess.

² *Documents on Disarmament*, 1969, pp. 764-765.

sets forth the understandings and the proposed reservation of the United States with respect to the Protocol.³

In submitting this Protocol for approval, I consider it desirable and appropriate to make the following statements:

The United States has renounced the first-use of lethal and incapacitating chemical weapons.

The United States has renounced any use of biological and toxin weapons.

Our biological and toxin programs will be confined to research for defensive purposes, strictly defined. By the example we set, we hope to contribute to an atmosphere of peace, understanding and confidence between nations and among men. The policy of the United States Government is to support international efforts to limit biological and toxin research programs to defensive purposes.

The United States will seek further agreement on effective arms-control measures in the field of biological and chemical warfare.

Today, there are 85 parties, including all other major powers, to this basic international agreement which the United States proposed and signed in 1925. The United States always has observed the principles and objectives of this Protocol.

I consider it essential that the United States now become a party to this Protocol, and urge the Senate to give its advice and consent to ratification with the reservation set forth in the Secretary's report.

RICHARD NIXON.

Report by the International Atomic Energy Agency to Secretary-General Thant: Nuclear Explosions for Peaceful Purposes, August 25, 1970¹

Introduction

1. In 1969, the Agency submitted to the Secretary-General of the United Nations a report entitled "The Agency's responsibility to provide services in connection with nuclear explosions for peaceful purposes".²

2. In Resolution 2605 B (XXIV) the General Assembly invited the Agency to submit to the Secretary-General, not later than 1 October 1970, a special report on the progress of its further studies and activities in this field, to be considered by the General Assembly at its twenty-fifth session.³

³ *Ante*, pp. 400-402.

¹ GC(XIV)/INF/121, Aug. 25, 1970. The Secretary-General transmitted the report to the G.A. on Oct. 1, 1970 (A/8080).

² GC(XIII)/410.

³ *Documents on Disarmament*, 1969, pp. 725-727.

3. The present report is designed to meet that request. It should be read in conjunction with the main part of this year's comprehensive annual report of the Agency to the General Assembly⁴ and with its report on further action taken on the recommendations made by the Conference of Non-Nuclear-Weapon States.⁵

The Agency's review of the technology of peaceful nuclear explosions (PNE)

4. A Working Group on peaceful nuclear explosions was convened by the Agency from 15 to 17 December 1969, for the purpose of preparing an agenda for a panel on this subject, which was held in March 1970, and of making recommendations concerning the Agency's role in connection with peaceful nuclear explosions. The Working Group recommended that the Agency should:

(a) Undertake a detailed scientific and technical review of the technology of peaceful nuclear explosions through convening a series of panels;

(b) Publish an introductory review of the current state of the art of using nuclear explosives for peaceful purposes;

(c) Publish a bibliography on PNE;

(d) Consider the usefulness, scope and timing of a handbook of technical and scientific data on PNE;

(e) Consider making plans for the arrangement, in due time, of education and instruction on PNE;

(f) Consider developing a plan for international co-operation for using PNE in scientific research;

(g) Consider what written material on PNE could be made available to interested Member States; and

(h) Review in due time its staffing requirements to cope with its role in PNE.

5. The agenda prepared by the Working Group for the panel was divided essentially into the following three sections:

(a) Summary statements on national activities concerned with peaceful nuclear explosions;

(b) Survey of peaceful nuclear explosions by an Agency consultant; and

(c) Phenomenology of contained and cratering explosions.

6. The agenda had been forwarded to 15 Member States for use as a guide in preparing papers for the panel. Australia, France, India, Japan, Mexico, Sweden, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America were invited to send participants to the panel. Invitations were also sent to Brazil,

⁴GC(XIV)/430.

⁵*Ante*, pp. 362-372.

Canada, the Federal Republic of Germany, Norway, South Africa and Switzerland, who had expressed strong interest in, or have experience with, explosion technology. The latter group of countries was invited to present papers through panel observers who would attend without cost to the Agency. The agenda was also sent to other observers from Member States and international agencies as their nominations were received.

7. The Panel on Peaceful Nuclear Explosions was held in Vienna at the Agency's Headquarters from 2 to 6 March 1970. In view of the wide interest in the subject, arrangements were made to permit the attendance of observers from any Member State wishing to follow its work. There were eight panel members and 49 other representatives or observers from 29 Member States, the United Nations and the World Health Organization. The Agency had engaged two consultants—one from the Soviet Union and the other from the United States—to prepare the technical summary of the Panel.

8. A total of eight papers was presented at the session on summary statements and 17 at the two technical sessions. The Agency submitted a paper entitled "Technical Status Summary of Peaceful Uses for Nuclear Explosives". The paper reviewed the progress so far made in using nuclear explosives for peaceful purposes. It described the present understanding of the effects of nuclear explosions, reviewed some of the suggested applications, and outlined the nature of the safety problems associated with these applications. It discussed the industrial applications of nuclear explosives for contained, cratering and excavation purposes and dealt briefly with scientific applications, data obtained from experiments performed to date and possible future experiments. Brief summaries of the other papers submitted are given in paragraphs 9-17 below.

9. South Africa in its paper stressed the need for considerably more information on PNE before assessing possible specific applications. It foresaw the role of the Agency in the co-ordination and evaluation of results obtained in the experiments of Member States with PNE programmes.

10. The possible application of nuclear explosives to mining of non-ferrous metal deposits was a point of particular interest in the paper presented by India. It expressed the desire for information on recent developments in pressure leaching, extraction of primary sulphide ores and possible product contamination arising out of the use of this technology.

11. The paper from Japan stressed the need for more information to be disseminated by the Agency through the medium of further panel meetings.

12. The Swedish paper reviewed Sweden's activities in programmes related to PNE, such as calculations on rock blasting, studies on the mechanical effects of sub-surface and near-surface

nuclear explosions and environmental analysis of radioactivity arising from PNE.

13. The United Kingdom in its paper offered the services of its experts in the assessment of radiological hazards and the use of seismic techniques. The United Kingdom also foresaw the functions of the Agency as including the familiarization of industry and the engineering profession with the potentialities and limitations of nuclear explosives engineering.

14. The summary statement of the United States was a broad review of governmental and industrial programmes in the domestic economy. It is evident that significant progress has been achieved, particularly as far as contained explosions are concerned. However, as was emphasized in the paper, the nature of the current programme is still in the research and development stage, and many technical problems remain to be solved before PNE can become truly practical.

15. The Australian statement, while pointing out that no national programme on research and development in PNE exists, reviewed its continuing interest in the possible application of nuclear explosives to major engineering, construction and mineral resources development. Close liaison is being maintained with the Plowshare programme of the United States in the form of development reviews and the provision by the United States of available information on specific applications.

16. The statement of the Soviet Union presented an extensive review of the various uses to which contained and cratering nuclear explosions have so far been put in the Soviet Union. The applications have included an oil stimulation experiment, gas and oil underground storage, a mining experiment, excavation of dams and mining by using nuclear explosives for directional overburden removal.

17. The paper from France gave detailed information on experiments with PNE performed to date, in particular the contained explosions executed in the granite of the Hoggar Massif of the Sahara. These have added to the knowledge on cavity shapes and growth rates, geological, thermal, mechanical, seismic and chemical effects and the activation of the containment rock. Significant differences in cavity volumes between the French and comparable United States experiments were pointed out. Contained nuclear explosions for the stimulation and underground storage of oil and gas and the extraction of mineral deposits were of particular interest.

18. Considerable discussion took place on the future activities of the Agency connected with PNE. The Panel studied the recommendations of the Working Group and added its own recommendations, particularly on:

(a) The role of the Agency in the exchange of information and in publication, including the usefulness, scope and timing of a

handbook of technical and scientific data on PNE; the preparation of bibliographies and other relevant documents;

(b) Education, training and scientific research; and

(c) Future Agency meetings on PNE and the formulation of their scope and agenda.

19. As a first step in the Agency's fulfilment of its role in the exchange of information and in publication the Panel recommended the early preparation of an introductory review of PNE technology. The primary function of such a review will be to serve as a reference source to individuals and countries becoming acquainted with this technology; the necessity of including in it the most recent advances in this field was stressed. Preparations for the compilation of such a review are under way.

20. In addition the Panel recommended that the Agency sponsor the publication of a multilingual glossary of PNE terms. This would be of help to specialists engaged in the exchange of information, at meetings and in publications at national or international levels. Since the inception of the various national PNE programmes the experts in this developing technology have inherited or borrowed terms from other engineering and scientific disciplines (e.g. nuclear, mining, geological and drilling terms) and/or used those which have been generated in the course of their work (e.g. an inversed crater called a "retare", overburden, explosive yield). Precise definitions of these terms with their translations into the four official languages of the Agency will be invaluable for international meetings and other information media. The Agency is initiating the compilation of such a glossary by asking for input from countries with national PNE programmes and related activities.

21. As far as education, training and scientific research are concerned, the Panel recommended that the Agency consider arranging for travelling lecturers on PNE, the setting up of academic programmes, and encourage scientific research in related fields. While such recommendations would have to be implemented by the Agency, interested Member States would have to initiate action.

22. Furthermore the Agency was asked what it can do to facilitate the assignment of scientists from interested Member States to projects in countries with PNE programmes. In this connection informal approaches are being made to Governments of countries which have such programmes.

23. On the subject of future Agency meetings on PNE it was recommended that the next panel meeting should deal with the practical aspects of contained nuclear explosions for industrial purposes including safety matters, such as seismic motion and product contamination, and that it should be convened towards the end of 1970 or as early as possible in 1971. The Agency now plans to hold this panel in January 1971, and the agenda for it was

prepared by the two technical consultants mentioned in paragraph 7 above.

24. The timing and scope for a third panel were not yet defined pending the progress of the second panel. It was felt that it should be held so as not to conflict with the Fourth International Conference on the Peaceful Uses of Atomic Energy which will be held in Geneva in September 1971.

The Agency's activities relating to the exchange of information on PNE

25. In addition to the report entitled "Status of Plowshare Technology" by the United States Government, the Agency circulated in January 1970 three technological papers submitted by the Government of the Soviet Union. These papers review the possible economic applications of nuclear explosives for peaceful purposes in the Soviet Union, and consider methods of predicting environmental contamination due to nuclear explosions.

26. In May 1970 the Agency published a bibliography on PNE containing 1759 references to literature published up to June 1969. The main bibliographic sources used were Nuclear Science Abstracts, primary journals and reports submitted by Member States.

27. Within the framework of the Agency's International Nuclear Information System (INIS), operating since April 1970, provision is made for the exchange of information on PNE. From the beginning of INIS' operation, all geological, geophysical and seismological aspects as well as the actual or potential uses of nuclear explosives for peaceful purposes were included. The monthly Atomindex will provide Member States with a regular world-wide survey of all publications dealing with PNE. Moreover, INIS' output tape service will make it possible for Member States to run selective dissemination of information services according to their needs.

The Agency's views on the appropriate international observation of PNE

28. Plans are being made with the object of formulating the Agency's views as to the role it may in due course assume in the appropriate international observation of PNE. It is foreseen that as a first step the Director General would assemble a panel of experts who, in collaboration with the Secretariat, would prepare a preliminary study of the character of such observation. Member States would be invited to comment on this study, and from the material thus assembled a formulation of the Agency's views could be elaborated.

Views of Member States of the United Nations on the establishment within the framework of the Agency of an international

service for nuclear explosions for peaceful purposes under appropriate international control

29. In paragraph 2 of Resolution 2605 B (XXIV) the General Assembly of the United Nations urged all its members to communicate to the Agency any further views they might have on the establishment within its framework of an international service for nuclear explosions for peaceful purposes under appropriate international control. Six such communications had been received by 31 July 1970 and are reproduced in the Annex.

ANNEX

*Communications from Member States of the United Nations
in response to the General Assembly's invitation in
Resolution 2605 B (XXIV), paragraph 2*

A. Spain

3 April 1970

.... Spain is greatly interested in the constitution of such an international service for nuclear explosions for peaceful purposes under the control of the International Atomic Energy Agency.

The Spanish Government views with favour studies relating to the establishment of such a service. The Agency provides an appropriate framework for this activity and, in accordance with its Statute, the service should be available to all States Members of the Agency without any form of discrimination.

It is the understanding of my Government that this future service for nuclear explosions for peaceful purposes under appropriate international control, which is to be established within the framework of the Agency, cannot be associated with the signing of any treaty or agreement outside the agreements governing the establishment of the International Atomic Energy Agency

B. Mexico

6 April 1970

....the views of the Mexican Government on this matter are still the same as those expressed in the two memoranda of 28 April and 24 July 1969, reproduced in document GC(XIII)/411 of 25 August 1969.

C. New Zealand

7 April 1970

...while New Zealand appreciates the studies which have been made by the Secretary-General and the International Atomic Energy Agency, it does not at this stage have any further comments to make on the subject.

D. Ethiopia

29 May 1970

Ethiopia recognizes that nuclear explosions might be potentially useful in very large civil engineering works, and might therefore come under the IAEA objective of promoting the contribution of atomic energy to ... prosperity. However, we wish to express a deep concern based on ecological considerations and on recurrent controversies in the more advanced countries, that the side-effects and after-effects of nuclear explosions within the ecosphere are often impossible to predict, let alone control. In particular, we note that radioactive contamination of the environment is probably such an overwhelming danger to long-term health as to completely outweigh any economic advantage which might be gained. Therefore, we are prepared to give tentative support only to feasibility studies in the area of nuclear explosions for peaceful purposes.

Part A of this resolution is also relevant. As the General Assembly has rightly noted, the IAEA has been extremely active and useful in promoting applications of atomic science for genuinely peaceful development of the health and prosperity of its member

states. In a world of limited sources, and in particular when concerned with international agencies with resource limitations, Ethiopia feels that the old maxim 'If it is possible, we must do it' must rapidly be replaced by 'Among the many possible things, which *ought* we to do?' Applied to the IAEA, we feel that a minimum of money and effort (possibly none at all) should be spent on nuclear explosions for any purposes whatsoever, and a maximum on those many projects for which the calculated benefit/hazard ratio is nearly infinite. Let the advanced-technology countries individually take the risk of polluting the biosphere—but not an Agency of the United Nations.

E. *Iran*

22 July 1970

.... in accordance with paragraph 3 of the operative part of the United Nations General Assembly's Resolution 2605 B (XXIV) and the communication by the United Nations Secretary-General PO/134/7 of 9 February, 1970 the Imperial Government of Iran is in favour of establishment within the framework of the International Atomic Energy Agency of an International Service for Peaceful Applications of Nuclear Explosions.

F. *Canada*

29 July 1970

.... Canada stated its views on the procedures the Agency might employ in connection with the use of nuclear explosions for peaceful purposes in a letter dated 29 May, 1969 At that time, it was stated that Canada was of the view that the Agency's initial activities in this field should be concentrated on the exchange and dissemination of information. Canada regards the convocation in Vienna of a panel on peaceful nuclear explosions during 1970 and the proposal for another panel in 1971 and the planned publications related to the technology of peaceful nuclear explosions as important steps in the fulfilment of the Agency's role in this field.

.... [The] letter of 29 May, 1969 said that it should be possible to define the boundaries of the role which the Agency could play in the field of peaceful nuclear explosions. The views of the Canadian authorities have not changed. One aspect of the question of the role the Agency should assume is in regard to providing appropriate international observation of peaceful nuclear explosions. The Canadian Government authorities agree that the question of observation is an appropriate matter for discussion in the continuing efforts to define the Agency's role in the provision of peaceful nuclear explosion services and Canada, therefore, would support any intention of the Agency to assemble a panel of experts to discuss this question. Finally, the Canadian authorities still believe that greater clarification is required of the Agency's role in the provision of peaceful nuclear explosion services with respect to the question of devices remaining in the custody and under the control of the nuclear-weapon State performing the service.

Twelve-Nation Memorandum Submitted to the Conference of the Committee on Disarmament: Chemical and Bacteriological (Biological) Methods of Warfare, August 25, 1970¹

1. The international community has, during recent years, been increasingly concerned by developments in the field of chemical and bacteriological (biological) weapons and by the grave dangers posed by such weapons to humanity and the ecological balance of nature.

2. It is now universally recognized that prospects of international peace and security, as well as the achievement of the goal of general and complete disarmament under effective international

¹ CCD/310, Aug. 25, 1970. The document was submitted by the following non-aligned CCD members: Argentina, Brazil, Burma, Ethiopia, India, Mexico, Morocco, Nigeria, Pakistan, Sweden, UAR, and Yugoslavia.

control, would be enhanced if the development, production and stockpiling of chemical and bacteriological (biological) agents intended for purposes of war were to end and if they were eliminated from all military arsenals.

3. The Geneva Protocol of 1925 prohibits the use in war of all chemical and bacteriological (biological) agents.² The General Assembly has, by resolution 2162 B (XXI), called for the strict observance by all States of the principles and objectives of the Geneva Protocol of 1925, condemned all actions contrary to those objectives and invited all States, which had not already done so, to accede to the Protocol.³ The General Assembly has, by resolution 2603 A (XXIV), also made a clear affirmation that the prohibition embodied in that Protocol was comprehensive and covered the use in international armed conflicts of all biological and chemical methods of warfare, regardless of any technical developments.⁴

4. In addition to the existing parties to the Geneva Protocol of 1925 there are other States which are considering accession to or ratification of the Protocol. There are some who have unilaterally and unconditionally renounced one or both types of weapons. These are welcome developments.

5. The Report prepared by the United Nations Secretary-General, in accordance with the General Assembly resolution 2454 A (XXIII) with the assistance of consultant experts, on chemical and bacteriological (biological) weapons and the effects of their possible use,⁵ and the Report of the World Health Organization's group of consultants on health aspects of chemical and biological weapons,⁶ and other studies on the subject, underline the immense importance and urgency universally felt in regard to reaching agreement to halt the development, production and stockpiling of all chemical and bacteriological (biological) agents for purposes of war and to achieve their effective elimination from the arsenals of weapons.

6. It is essential that both chemical and bacteriological (biological) weapons should continue to be dealt with together in taking steps towards the prohibition of their development, production and stockpiling and their effective elimination from the arsenals of all States. It is the conviction of the Group of Twelve that an effective solution of the problem should be sought on this basis.

7. The issue of verification is important in the field of chemical and bacteriological (biological) weapons, as indeed adequate verification is also essential in regard to the success of any measure in the field of disarmament. Reasonable guarantees and safeguards should, therefore, be devised to inspire confidence in the

² *Documents on Disarmament*, 1969, pp. 764-765.

³ *Ibid.*, 1966, pp. 798-799.

⁴ *Ibid.*, 1969, pp. 716-717.

⁵ For the Secretary-General's report, see *ibid.*, pp. 264-298. The G.A. res. appears *ibid.*, 1968, pp. 793-795.

⁶ *Health Aspects of Chemical and Biological Weapons: Report of a WHO Group of Consultants* (Geneva, 1970).

implementation of any agreement in the field of C and B weapons. Verification should be based on a combination of appropriate national and international measures, which would complement and supplement each other, thereby providing an acceptable system which would ensure effective implementation of the prohibition.

8. The Group expresses the hope that the basic approach, as outlined in the preceding paragraphs, concerning the task before the Conference of the Committee on Disarmament in the field of chemical and bacteriological (biological) weapons would receive general acceptance so that an early solution could be found in regard to the prohibition of the production, development and stockpiling of such weapons and their effective elimination from the arsenals of all States.

United States Working Paper Submitted to the Conference of the Committee on Disarmament: Economic Data Monitoring as a Means of Verifying Compliance With a Ban on Chemical Weapons, August 25, 1970¹

This paper discusses the contribution which might be made by economic data monitoring to the verification of compliance with a treaty banning the production and stockpiling of chemical weapons. Over the past six years, the United States Arms Control and Disarmament Agency has investigated the potential of economic monitoring as applied to chemical weapons. The material in this paper is drawn very largely from the results of this research. In the interests of economy of presentation and because of their importance, the discussion will be restricted to organophosphorus nerve agents only. Most of the research was performed within the context of the US economy. Generalizations based largely on experience in one country only should be treated with reserve.

Operation of an Economic Monitoring System

Economic monitoring of a CW ban would aim at identifying changes or inconsistencies in economic data series that could indicate the development of a CW capability. While there is no pre-established method for utilizing economic data for arms control verification purposes, we have found it useful in the case of the organophosphorus nerve agents to consider how this technique might be used to monitor the production and consumption of materials which could be used to produce these agents. The analysis might proceed as follows.

The group of agents to be examined—in this case all nerve agents—is defined. Our analytical starting point is the molecular structure common to all nerve agents. The basic structure of

¹CCD/311, Aug. 25, 1970.

organophosphorus poisons is that of a phosphorus atom bonded at four points to other chemical groups. These groups are joined to the phosphorus atom by some combination of four reaction processes: oxidation, esterification, alkylation, and either amination or fluorination. Although the exact make-up of the attached chemical groups can vary, each must contain one of five elements: oxygen, either sulphur or selenium, nitrogen, fluorine or carbon. All known organophosphorus poisons conform to these general structural rules.

Given the five bonding elements and four bonding positions, the total number of combinations into which they can be arranged equals 625. About 20 of these possible structural combinations, or classes, have been found to be sufficiently toxic to be useful as poisons, and only six classes, have been found to be toxic enough to be effective as nerve agents. (Discovery of additional highly toxic classes is possible).

Within these six classes of nerve agents, there is an almost infinite number of specific chemical compounds which could meet the common structural requirements. However, as with the agent classes, not all of these compounds would be sufficiently toxic to be useful as nerve agents. Also, the practicalities of the production processes involved reduce further the number of potential agents. These considerations refine the number of nerve agents we must consider from a theoretically immense number down to several thousand.

Our research determined that, with certain limiting assumptions concerning the state of the art of organophosphorus chemistry, all the potential agents could be manufactured using about 90 component materials (raw materials and intermediates). If, at this point, it were possible to say that, of the 90 materials only a few were required for the production of all nerve agents, our monitoring tasks could be greatly simplified. Such is not the case however; on the contrary, a rather low degree of "commonality" of materials was discovered. (The one exception to this statement relates to elemental phosphorus, which is the only material common to all nerve agents. Elemental phosphorus, however, is used throughout the world in a variety of commercial processes. To be conclusive alone, monitoring of the importation, production and consumption of elemental phosphorus would have to be completely foolproof). Thus, to make any useful statement about the manufacture of a given nerve agent, an economic monitoring system must consider simultaneously all, or almost all, of the 90 potential components.

There are several methods by which a nation can provide the component materials for agent production: (a) by increasing its own production of the required materials; (b) by diverting materials from existing uses or from stockpiles; (c) by importing

the required materials; and (d) by a combination of the above. From the standpoint of a nation wishing to violate a ban on nerve agent production, the least detectable options would be to increase production, especially if excess production capacity is available, or to draw on stockpiles. Diversion from existing uses is more risky since it necessarily affects people and institutions downstream in the production cycle. Importing would be the least attractive option because the supply must be sought in other nations, making disclosure much more likely.

For statistical monitoring to be successful, the pattern of production and consumption of the various materials would have to be "visible" against the background of economic statistics of the country being monitored. This "visibility" would be affected by (1) the quantity of nerve agent to be produced, which in turn defines the quantities of materials required, (2) the ability of the country to supply the required materials from indigenous production, (3) the complexity of the economy, and (4) the amount, quality, precision and timeliness of the data supplied.

The actual monitoring process would call for detailed data, for each country monitored, on each potential component material in terms of (1) imports, (2) the process of its manufacture, working backwards to initial raw materials, and (3) its commercial end uses, including exports if any. Current data would need to be reported frequently and with minimum delay. Historical data would also be required comparable to current data to serve as a background against which to measure current trends and deviations.

The actual effort involved in gathering information would vary greatly from case to case. It would be least difficult in a small country with a simple economy, willing to co-operate freely, with fast, accurate statistical reporting, with many open sources of information, providing reliable consistent historical data, and which possessed and/or imported few of the materials used to produce nerve agents. As we move away from this example, the level of effort required would increase sharply and the reliability of the data being monitored would diminish.

Limitations and Problems of Economic Monitoring

Our research indicates that the success of an economic monitoring system depends on having a free flow of accurate, consistent, timely data, over a considerable span of time. Cross-checking with related statistics would be necessary.

Even assuming full compliance by all parties to a treaty involving economic monitoring, there are certain disadvantages and problems inherent in the method itself.

(1) With the best of intentions, the problem of honest error exists. In deriving statistics for non-arms-control purposes, problems such as in-process waste, variations in process yield or

efficiency, changes in the nature of the product, and fluctuations in inventory can lead to significant error in the statistical results.

(2) A related problem, again not peculiar to arms control, is that statistical data are not always uniform or consistent in terms of terminology and coverage, and therefore, may not be strictly comparable.

(3) Statistical data are often published only after a considerable time lag, especially where the data are voluminous, complex or require considerable analysis.

(4) In some cases, the collection of data might become intrusive. If the data were detailed and extensive enough they might disclose more than just CW-related activities, perhaps even some of military significance. In some cases proprietary commercial processes and secrets might be disclosed to competitors.

(5) For purposes of verifying a CW treaty, some data which might be assumed to be useful in fact could be misleading. For example, statistics on chemical industry employment and investment are often hard to relate to figures in production, due to variations in factors such as classification terminology and labour productivity.

Apart from the problems, above, inherent in the method of economic monitoring, a second order of problems arises if one assumes that an economic monitoring system must be capable of identifying deliberate attempts at deception. Our studies on economic monitoring have been able to develop no effective way of dealing with the problem of existing stockpiles of CW agents. Also, they underline the problem of identifying small evasions. Should a nation not now possessing CW stockpiles so desire, it could possibly initiate CW agent production by gradually increasing production of raw materials and intermediates without altering its reported statistics, or by small diversions, or both. Such a gradual approach would be extremely difficult to detect by statistical methods, especially in a large complex economy.

Preliminary Conclusions and Comments

(1) The indirect nature of economic monitoring, which deals with records of events rather than the events themselves, is both its strength and its weakness. On the one hand, such monitoring is non-intrusive and relies entirely on unilateral analysis of reported data. However, even at best, it can show only the symptoms of a violation and not the violation itself.

(2) The role of economic monitoring will vary greatly with the characteristics of the country being monitored. It would be most effective when applied to small countries with open societies and non-autarchic economies. Large countries with closed societies and self-sufficient economies should face little difficulty in rendering it ineffective. Any nation capable of producing and stockpiling CW agents, and motivated to do so, would also be likely to be able to

conceal this activity from the outside world, in terms of reported data.

(3) Although our investigation of the contribution of economic monitoring is still going on, our preliminary conclusions are that, under optimum conditions, economic monitoring could be of ancillary use, but alone would not provide an answer to the verification problem. It can serve as a precursor, guide, support and focusing technique, but not as a substitute for direct technical on-site inspection.

Tripartite Paper Submitted to the Conference of the Committee on Disarmament: Draft Comprehensive Program of Disarmament, August 27, 1970¹

INTRODUCTION

The present Comprehensive Programme of Disarmament has been elaborated by the Conference of the Committee on Disarmament in compliance with the request made by the General Assembly of the United Nations in resolution 2602 E (XXIV) approved on 16 December 1969, by which the Assembly declared the decade of the 1970s as a Disarmament Decade.²

From the contents of this resolution it follows that the General Assembly:

(1) Has reaffirmed the responsibility of the United Nations in the attainment of disarmament.

(2) Continues to consider, as it did in 1959, that the question of general and complete disarmament is the most important one facing the world today.³

(3) Has recommended that the negotiations related to disarmament should be based on the principles incorporated in the Joint Statement submitted by the Union of Soviet Socialist Republics and the United States of America on 20 September 1961,⁴ which was welcomed by the General Assembly.⁵

(4) Has the conviction that the current negotiations which must be continued and intensified, as well as the ones to be initiated should strive to achieve, in a parallel form, the cessation at an early date of the nuclear arms race, the conclusion of additional agreements on specific collateral measures, the elimination of nuclear weapons and other weapons of mass destruction and the conclusion of a treaty on general and complete disarmament under effective international control.

¹ CCD/313, Aug. 27, 1970. The paper was submitted by Mexico, Sweden, and Yugoslavia.

² *Documents on Disarmament, 1969*, pp. 713-715.

³ See *ibid.*, 1945-1959, vol. II, p. 1545.

⁴ *Ibid.*, 1961, pp. 439-442.

⁵ *Ibid.*, pp. 741-742.

(5) Has the conviction that all Governments should intensify without delay their concerted efforts towards the achievement of the objectives defined in the previous paragraph, and that the participation of all nuclear weapon powers is indispensable for a full measure of success in these efforts.

(6) Has the conviction that peace, security and the strengthening of confidence in the world are correlated with progress in the field of disarmament and that from this progress particularly important economic and social consequences may derive.

(7) Has the conviction that the diversion of enormous resources and energy, human and material, from peaceful economic and social pursuits to an unproductive and wasteful arms race, particularly in the nuclear field, places a great burden on both the developing and the developed countries.

(8) Has recommended that consideration be given to channeling a substantial part of the resources freed by measures in the field of disarmament to promote the economic development of developing countries and, in particular, their scientific and technological progress.

In the light of the above it would seem fully justified to state that the request of the General Assembly implies that the comprehensive programme of disarmament should embrace not only the work of the Conference of the Committee on Disarmament, but all negotiations and other acts on this matter, whichever the forum and the form in which they may take place, and that the programme should include effective procedures in order to facilitate the co-ordination of such activities and ensure that the United Nations General Assembly be kept informed on their progress so as to permit it the proper performance of its functions including the constant evaluation of the situation.

In preparing the comprehensive programme, the Conference of the Committee on Disarmament has endeavoured to adjust itself not only to the last two requisites but also to the basic points that have been outlined at the beginning derived from an analysis of resolution 2602 E (XXIV). It is therefore in the light of those elements that the contents of the comprehensive programme that is now hereby submitted to the General Assembly for its consideration at its twenty fifth session, should be interpreted.

It seems advisable to point out likewise that the term "Disarmament" is used here in the same manner as it has been done in the various forums of the United Nations, that is, as a generic term which encompasses and may designate any type of measures relating to the matter, whether they are measures for the prevention, the limitation, the reduction, or the elimination of armaments.

I. OBJECTIVE

The aim of the comprehensive programme is to achieve tangible progress in order that the goal of general and complete disarmament

ment under effective international control may become a reality in a world in which international peace and security prevail, and economic and social progress are attained.

II. PRINCIPLES

1. The measures in the comprehensive programme should be carried out in accordance with the Joint Statement of Agreed Principles for Disarmament Negotiations of September 1961, taking into account the obligations undertaken in various treaties of disarmament and the relevant resolutions of the UN, and all new elements and possibilities in this area.

The programme should be sufficiently realistic to be widely acceptable but at the same time ambitious enough to give thrust to the negotiations on disarmament.

2. Priority should be given to disarmament measures dealing with nuclear and other weapons of mass destruction. This does not mean, however, that progress should not be sought in any field of disarmament. Action should be taken as soon as possible whenever a measure or group of measures is ripe for agreement. The scope of the term "mass destruction weapons" should be studied.

3. The problem of general and complete disarmament should be given intensive treatment, parallel to the negotiations of partial disarmament measures, in order to facilitate further clarification of positions and possibilities, including the revision and updating of the existing draft treaties submitted by the USSR and the USA respectively,⁶ or the submission of new proposals.

4. The principle of balance should be kept in mind. It concerns both a numerical decrease of men in arms and types of arms to prefixed levels, and packages of disarmament measures by which an overall balance is achieved which is judged by all parties to be satisfactory in the light of their own security. Particular efforts will have to be undertaken by major powers in order to reduce the gap which exists between them and medium and smaller countries.

5. Verification methods form an indispensable part of disarmament measures. When elaborating such methods it must be recognized that a hundred percent certainty can never be obtained by any such system. A single method of control is rarely sufficient. As a rule, a combination of several methods should be employed, mutually reinforcing one another in order to achieve the necessary assurances that a certain disarmament measure is being observed by all parties.

6. The comprehensive programme is correlated with other United Nations programmes for peace-keeping and international security. Progress in the former should not however be made dependent on progress in the latter and vice versa.

7. The necessity should be kept in mind of avoiding, when concluding disarmament agreements, any adverse effects on the scientific, technological or economic future of nations.

⁶ *Ibid.*, 1965, pp. 77-102, 111-140.

8. A substantial portion of the savings derived from measures in the field of disarmament should be devoted to the benefit of the developing countries.

9. In disarmament agreements every effort should be made not to prejudice or prejudice juridical or other unresolved issues in any outside field.

10. Concerted efforts should be made to associate militarily significant States, in particular all nuclear-weapon powers, with the negotiations for disarmament.

11. Regional agreements in conformity with the UN Charter should play an important role for the attainment of the objectives envisaged. Measures in such a context might not only be concerned with disarmament but might also contain elements of a confidence-building nature.

12. The United Nations, which has specific responsibility for disarmament under the Charter, should be kept informed of all efforts thereon, whether unilateral, bilateral, regional or multi-lateral.

Public opinion should be given adequate information about armament and disarmament, so that it might bring its influence to bear on the strengthening of disarmament efforts.

III. ELEMENTS AND PHASES OF THE PROGRAMME

A. *Disarmament treaties in force or in preparation*

1. The results achieved so far in the disarmament field and the agreements anticipated for the immediate future consist of partial or collateral measures, facilitating and forming part of the final aim of general and complete disarmament under effective international control. Such results consist mainly of the following treaties:

- (a) The 1925 Geneva Protocol⁷;
- (b) The Antarctic Treaty of 1959⁸;
- (c) The partial Test Ban Treaty of 1963⁹;
- (d) The Outer Space Treaty of 1967¹⁰;
- (e) The Treaty of Tlatelolco and its two Additional Protocols of 1967,¹¹ and
- (f) The Non-Proliferation Treaty of 1968.¹²

Particular attention should be paid to the fulfilment of the obligations arising from these treaties, to the review conferences provided for in some of them, and when that is the case, to the adoption of measures intended to complete them.

2. Efforts and negotiations to reach agreement at an early stage of the Disarmament Decade on treaties and conventions whose

⁷*Ibid.*, 1969, pp. 764-765.

⁸*Ibid.*, 1945-1959, vol. II, pp. 1550-1556.

⁹*Ibid.*, 1963, pp. 291-293.

¹⁰*Ibid.*, 1967, pp. 38-43.

¹¹*Ibid.*, pp. 69-83.

¹²*Ibid.*, 1968, pp. 461-465.

contents have been for some time under consideration by the General Assembly, the Conference of the Committee on Disarmament and other competent international forums should be urgently intensified. These instruments deal mainly with:

(a) The prohibition of the development, production and stockpiling of chemical and biological weapons and the destruction of existing stocks of such weapons;

(b) The prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the seabed and the ocean floor and in the subsoil thereof;

(c) The ban on underground nuclear-weapon tests, and

(d) The establishment of an international regime for nuclear explosions for peaceful purposes, including an international service, within the framework of the IAEA, for such explosions.

B. Other measures of disarmament

1. Prevention and limitation of armaments

The possibilities of giving effect as soon as possible to the measures specified below should be the object of persistent scrutiny and negotiation.

(1) Nuclear weapons

(a) A moratorium or cessation of testing and deploying new strategic nuclear-weapon systems.

(b) The cessation of production of fissionable material for military purposes and the transfer of existing stocks to civilian uses.

(c) A freeze or limitation on the deployment of all types of nuclear weapons.

(d) The conclusion of regional agreements for the establishment of additional nuclear weapon free zones.

(e) A solution of the problem concerning the prohibition of the use of or the threat to use nuclear weapons.

(2) Conventional armaments and armed forces

(a) Convening of regional disarmament conferences at the initiative of the States of the region.

(b) The establishment of freezes or ceilings on the level and types of conventional armaments and the number of armed forces.

(c) Restrictions on the creation of foreign military bases and the stationing of troops and military equipment in foreign territories.

(d) Further prohibitions of the use for military purposes of the sea-bed and the ocean floor and the subsoil thereof.

2. Reduction of all armaments, armed forces and military expenditures

At the appropriate stage in the disarmament negotiations ways and means of carrying out the following measures should be thoroughly explored and actively negotiated:

(a) The conclusion of regional non-aggression, security and disarmament treaties.

(b) Gradual reductions in nuclear and conventional armaments and armed forces.

(c) Gradual withdrawal of troops and bases from foreign territories.

(d) Reduction in military expenditures.

3. *Elimination of armaments*

In accordance with the Agreed Principles for Disarmament Negotiations of 1961, the final stage of the comprehensive programme should be the conclusion of a treaty on general and complete disarmament under effective international control, providing for the prohibition and elimination of nuclear weapons and the reduction of conventional armaments and armed forces to levels required for the maintenance of internal order and for international peace-keeping.

IV. PEACE-KEEPING AND SECURITY

1. It is recognized that there is a close inter-relationship among disarmament, international security, peaceful settlement of disputes and a climate of confidence.

2. During the period of the negotiations for the disarmament measures listed above, there should be parallel negotiations in the appropriate forums for the establishment or development of United Nations peace-making and peace-keeping machinery and procedures in order to increase, and ensure the maintenance of international peace and security.

3. Agreement on such measures will facilitate the success of disarmament efforts, just as the adoption of disarmament measures will create favourable conditions for the strengthening of international security. Nevertheless, as already pointed out above, progress in one of these categories of measures should not be made dependent on progress in the other and vice versa.

V. PROCEDURE

1. The General Assembly should consider, annually, the progress made in the implementation of the comprehensive programme. Every three years, the General Assembly should review the comprehensive programme and revise it as warranted. This will entail an evaluation of the overall situation in the field of disarmament and a comparison between the development in regard to armaments and disarmament. The United Nations Disarmament Commission might be reactivated and entrusted with a part of this task.

2. The practice of requesting the Secretary-General to prepare, with the assistance of expert consultants, authoritative studies on concrete questions relating to the arms race and disarmament should be continued.

3. There should be more conferences and scientific exchanges among scientists and experts from various countries on the problem of the arms race and disarmament.

4. Universities and academic institutes should be encouraged to establish continuing courses and seminars to study problems of the arms race, military expenditures and disarmament.

5. The increased exchanges and publications of relevant information and data should lead to greater openness, to the establishment of greater confidence among States and increased knowledge and interest in these matters among public opinion.

6. The feasibility of convening in due time and after appropriate preparatory work, a world disarmament conference of all States should be thoroughly studied.

Statement by the United States Representative (Leonard) to the Conference of the Committee on Disarmament: Chemical and Biological Weapons, August 27, 1970¹

Our work during this session on chemical and biological weapons has, in our view, been both encouraging and disappointing. It has been encouraging because there is under active consideration a practical proposal to prohibit the development, production and stockpiling of biological weapons. I refer, of course, to the draft convention submitted by the United Kingdom² and now supported by the United States and others. Specifically, we are encouraged because no delegation has said anything this year which indicates to us that this is an unsound proposal.

3. With respect to chemical weapons we are encouraged because a number of delegations have begun a serious effort to learn more about the complex military, technical and other factors which must be studied and explored before real progress can be made. On the other hand, there has been an unwillingness on the part of some delegations to pursue this important effort as well as to seize the opportunity to negotiate a comprehensive international convention on biological weapons. A number of delegations have belittled serious study of the inherent problems in the field of arms control of chemical weapons by asserting that political decisions must now be taken and that technical studies are merely excuses for failing to make progress.

4. The reasons for United States support of the United Kingdom draft convention have been stated in the past. I shall not take the time of the Committee to restate them. The United States Government, in essence, took a decision to renounce the production and stockpiling of biological weapons, supplemented by a decision to do the same with respect to toxins because of their

¹ CCD/PV.491, pp. 5-14.

² *Ante*, pp. 428-432.

close affinity with biological weapons. I might add that this was a political decision, one based on all relevant factors: political, military and technical. As many representatives know, our decision was the product of nine months' intensive study. It is our hope that other governments will soon be prepared to make the same political decision and join in an international convention which would make the renunciation of biological warfare broadly binding throughout the international community. We are disappointed that other key countries have not so far been ready to take this positive step.

5. Let me discuss now some of the reasons which have been advanced to justify delay in negotiating a biological warfare convention. In response to our explanation that there are intrinsic differences between biological and chemical weapons which justify their separate treatment, we have been told that both those types of weapons are weapons of mass destruction and therefore must be dealt with simultaneously. But it is simply not accurate to give the whole class of chemical weapons the label of weapons of mass destruction. Is an incapacitating chemical agent a weapon of mass destruction? I think not. Moreover, is it suggested that all weapons of mass destruction must be treated simultaneously? Is it seriously to be considered that nuclear weapons, which are unquestionably weapons of mass destruction, must be eliminated at the same time as biological and chemical weapons or the latter will not be dealt with at all? Again I think the answer is negative.

6. It has been suggested to us also that, logically, chemical and biological weapons should be treated together because they are aimed at the destruction of living beings. That seems to us a superficial argument. Bullets are aimed at injuring people, as are shrapnel and virtually all weapons of war. But surely that is not an argument for treating all weapons in one comprehensive instrument.

7. We have also been told that implementation of the United Kingdom proposal would undermine the rules embodied in the Geneva Protocol because the Geneva Protocol deals with both kinds of weapons.³ That, frankly, is incomprehensible to us. The Geneva Protocol outlaws the use of both types of weapons. It would of course strengthen the Geneva Protocol in every possible respect if we could immediately conclude an effective and reliable treaty eliminating both types of weapons. That, however, is not possible and we do not know at this time whether or when it will be possible. Under these circumstances it seems to us self-evident that it would be a strengthening, not a weakening, of the Protocol to eliminate either class of weapon. If either class were eliminated, then surely it would be less likely that that type of weapon would be utilized, and thus the Geneva Protocol would be strengthened to that extent.

³ *Documents on Disarmament*, 1969, pp. 764-765.

8. However, the distinguished representative of the Soviet Union has told us on a number of occasions that implementation of the United Kingdom proposal—

... constitutes a direct danger in that it will promote the build up by States of arsenals of chemical weapons and increase the risk of the use of such weapons in international conflicts.⁴

That assertion cannot be supported either by experience or by logic. As to experience, I can state that the United States has completely halted the production of biological weapons since President Nixon's statement of last November—almost a year ago. During that time we have not produced any lethal chemical weapons either, and we are not producing them at this time. We wonder what the representative of the Soviet Union could have in mind. If what is happening in the United States is not relevant, which countries does the Soviet representative believe would be stimulated to greater production of chemical weapons by the adoption of the United Kingdom draft convention?

9. That is, of course, a rhetorical question. We do not believe that any country will be stimulated to greater production of chemical weapons by a treaty obligation to renounce biological weapons. The logic of this assertion is evident, since the two classes of weapons have different functions. Biological weapons are unquestionably weapons of mass destruction. In view of the time required for them to take effect, they do not have much utility as weapons of retaliation or deterrence. Chemical weapons, on the other hand, have been utilized in the past as tactical weapons. They have an immediate, not a delayed, effect; they are more predictable and controllable in their action; and they are thus effective retaliatory weapons—weapons whose possession by one Power deters their use by some other Power; they are primarily battlefield weapons. Accordingly, the two types of weapons broadly serve different functions and it is unsound, therefore, to conclude that if you give one of them up you can make up for that by increased production with respect to the other.

10. We have explained all of this earlier. Nevertheless we have continued to hear repetitions of the argument that giving up biological weapons would stimulate production of chemical weapons. Let us leave behind the period in which such arguments are substituted for genuine analyses of the relevant factors, whether they be political, military or technical.

11. Before concluding this section of my statement on biological weapons I should like to summarize the essential reason why the United States believes that biological weapons can and should be treated separately from chemical weapons. Basically, biological weapons are different from chemical weapons; and that truth has been demonstrated by over fifty years of history. No amount of argumentation can persuade us that the two types of weapons

⁴Ante, p. 387.

are the same when one has been made use of in warfare and the other has not.

12. Please note that I have said that the two classes of weapons are different, not that one is more important or more urgent or more dangerous than the other. That is not where we base our argument in favour of separate treatment for the two classes. Both are important; both are urgent; both are dangerous. But one class presents a relatively simple disarmament problem; the other presents a very complex task. One can be dealt with rather quickly; the other cannot. That simple truth, based on years of history and the unavoidable facts of contemporary life, lies at the heart of our attitude towards the control of chemical and biological weapons.

13. Turning now to the control of chemical weapons, I have already said that we are pleased that this Committee has begun its investigation of problems that must be looked into if we seriously hope to achieve workable prohibitions in the field of chemical weapons. In particular, I refer to such contributions as the working papers of Canada,⁵ Japan,⁶ Italy,⁷ Sweden,⁸ Yugoslavia,⁹ the United Kingdom¹⁰ and others. However, those papers obviously represent only a beginning. It will take time to do the research required in order to give sensible, helpful answers to the important questions posed, for example, in the Canadian working paper. For our part, we shall study these working papers carefully and shall attempt next year to carry forward the essential exploration of all the technical, military and political problems involved.

14. I said that it will take time to get seriously into all the problems of chemical weapons, and that we have recently only just begun to do so. Naturally the question arises, how much time might be required before we are in a position actually to frame a draft instrument prohibiting manufacture and stockpiling of chemical weapons? No one can answer that question. We hope, of course, that it will take less rather than more time. However, if we are to be realistic we must appreciate that in the case of other important agreements in the arms-control field it took many years before there was a sufficient degree of understanding, a sufficient breadth of consensus, to ripen into concrete agreement. A test ban was first proposed in the early 1950s. Technical expertise was gained in the late 1950s at a Geneva meeting of experts; negotiations took place both in the late 1950s and in the early 1960s; but, as we all know, a partial test ban was concluded only in 1963.¹¹

⁵ *Ante*, pp. 375-379.

⁶ CCD/288; *ante*, pp. 379-382.

⁷ *Ante*, pp. 270-272, 388-390.

⁸ CCD/287.

⁹ *Ante*, pp. 382-385.

¹⁰ *Ante*, pp. 432-436.

¹¹ *Documents on Disarmament, 1963*, pp. 291-293.

15. I cite that point not to demonstrate that any particular number of years must necessarily elapse before the international community is able to record a broadly-accepted international agreement on chemical weapons. I mention it only to remind us that we have a long and difficult road ahead, particularly since the terrain we must traverse is virtually uncharted.

16. One thing, however, is absolutely certain if we are to reach our goal. We shall not be assisted by statements such as those made on a number of recent occasions by the sponsors of the socialist draft treaty,¹² to the effect that technical studies are excuses to avoid progress. It would, after all, be at least equally plausible to suggest that the sponsorship of an impractical and seriously defective treaty was motivated by a desire to avoid progress. However, we notice at least one encouraging statement from the Soviet delegation. At our meeting on 11 August Mr. Roshchin said:

...elaborating and agreeing on forms and methods of control is a complex, involved process in which numerous political and military-technical factors play a part.¹³

That statement has our complete agreement.

17. It follows from what I have said about the necessity for detailed, serious study of the problems of controlling chemical weapons that the draft convention put forward at the General Assembly by the Soviet Union, two of its constituent republics, and six of its allies simply does not measure up to its proclaimed objectives. It does not begin to cope with the problems inherent in the task of controlling chemical weapons, and therefore it cannot possibly be a basis for negotiation.

18. The inadequacy of this socialist draft treaty is particularly evident in two areas. First, it is impossible to ascertain from studying the text, or the explanations that have been given to us, what is being prohibited. Second, whatever is being prohibited, the means of verification are virtually non-existent.

19. Article 1 of the socialist draft convention states that each party—

...undertakes not to develop, produce, stockpile or otherwise acquire chemical and bacteriological (biological) weapons.

The draft, however, contains no definition of what is a chemical weapon. This is an important matter. Is it intended to prohibit only weapons in the sense of munitions that have already been filled with chemical agents? Is it intended to permit unlimited stockpiling of chemical substances which have been manufactured for use in munitions but have not yet been placed in munitions—substances such as mustard gas and nerve agents? What is the intention of the draft with respect to chemicals which are used in

¹² *Ibid.*, 1969, pp. 455-457.

¹³ *Ante*, p. 399.

industry but can also be used directly to inflict casualties on the battlefield? I refer, of course, to substances like chlorine and phosgene, which we all know were effective in past wars. Chlorine, for example, was effectively used in the battle of Ypres when the gas was released from ordinary industrial containers that had been transported from the factory to the front.

20. Those are not abstract questions. They must be considered and they must be answered. We say, not that they are insoluble, but that we shall arrive at sound solutions only after serious study—study along the lines suggested by our Canadian and Italian colleagues, and by yourself, Mr. Chairman.

21. With respect to the scope of prohibition, the socialist draft is obviously defective in yet another way. Mr. Roshchin told us at our meeting on 14 July that as a result of this convention all—and I emphasize “all”—chemical and bacteriological weapons “would be destroyed and would cease to exist”. He continued: “That understanding stems clearly from the draft convention proposed by the socialist States and no additions or changes in the text are required.”¹⁴ I take it that we may assume not only from the statement I have just quoted, but from other statements of the Soviet Union as well, that tear-gas munitions are considered by the Soviet Union to be chemical weapons.

22. Is it, then, the proposal of the Soviet Union and of the six other countries associated with that proposal that all tear-gas munitions, which have been used to maintain internal order in over sixty countries, are to be completely eliminated? If that is not their proposal, then surely some standards or limits as to types and amounts of tear-gas munitions to be possessed would have to be worked out. And surely there would have to be some procedure at the very least for reporting, or for control, regarding the tear-gas munitions retained. But we see no such provision of any sort in the socialist draft convention. So perhaps it is not incorrect to assume that this draft contemplates the complete elimination of all tear-gas munitions. We would welcome clarification.

23. I have said that the second major deficiency of the socialist draft convention is that it is seriously lacking in provisions for verification. That remark takes account of the amendment proposed by the Polish delegation and others, whereby it is expressly recognized that States may lodge complaints before the Security Council.¹⁵ As we have pointed out before, a provision recognizing the existing right to make a complaint to the Security Council is inadequate for prohibitions on production and stockpiling, because it may not be known whether or not there are grounds for complaint until it is too late.

24. With respect to the basic question of verification, we must point out that this is indeed a real and a serious problem. The

¹⁴ *Ante*, p. 316.

¹⁵ *Ante*, p. 140.

Soviet representative has stated on several occasions that the ability to retaliate against the use of chemical weapons is a deterrent to their first use by others. I take that to be the meaning of the Soviet delegation's working paper, which states that the existing reservations to the Geneva Protocol provided the basis for a warning to the Axis Powers in the Second World War. Let me recall the statement then issued by President Roosevelt, on 8 June 1943. In that statement the President of the United States promised "full and swift retaliation in kind", and warned—

...the Axis armies and the Axis people in Europe and Asia that the terrible consequences of any use of these inhumane methods on their part will be brought down swiftly and surely upon their own heads.¹⁶

25. Since the Soviet Union is apparently of the same view as the United States with respect to the relationship between the ability to retaliate and the ability to deter, we must assume that the Soviet Union maintains substantial stockpiles of chemical weapons for possible use if it is attacked with chemical weapons. However, as must be evident from the working paper which the United States submitted on 16 July,¹⁷ it is extremely difficult to know, for example from photographs, what quantity of chemical agents or munitions has been manufactured or is continuing to be manufactured in any industrial country. In these circumstances the United States would have no way of knowing, if the socialist draft convention were to be adopted, whether all or only a fraction of the existing chemical weapons possessed by the Soviet Union had been destroyed pursuant to the treaty, or whether the Soviet Union was continuing to produce chemical munitions or was retaining a capability to produce chemical munition quickly and secretly. Thus what the Soviet delegation is calling for is not so much "a political decision" as "an act of faith."

26. It is often said that chemical weapons are not likely themselves to be decisive weapons in modern war. That is to say, it is sometimes asserted that if one side in a major conflict had retained some chemical weapons but the other side had not, that would not make the difference between victory or defeat. It is therefore concluded that risks may be accepted in the interest of taking an important step forward in the field of arms control.

27. We submit that that is seriously defective reasoning. It has been a fundamental principle of our negotiations in the last decade that arms-control agreements are to be fashioned in a way that avoids granting a significant advantage to one party or another. Without doubt, the retention of significant quantities of chemical weapons or agents by one side, which would be possible without detection under the socialist draft convention, could give a significant advantage to one side and a significant disadvantage to the other. Such a treaty would be an unsound measure.

¹⁶ *Department of State Bulletin*, June 12, 1943, p. 507. The Soviet working paper appears *ante*, pp. 385-389.

¹⁷ *Ante*, pp. 323-326.

28. The question arises, what would be adequate verification for a comprehensive chemical-weapons convention? In all frankness we must respond that we do not know the answer to that question. Only future study—detailed and serious study by many countries working here in a realistic way on all the elements of the problem—will in time provide the answer.

29. The international community has recently concluded one treaty which does contain procedures for reliable international verification. That is, of course, the non-proliferation Treaty.¹⁸ An interesting parallel exists between that treaty and the problem of a chemical-weapons convention; although the distinctions are, of course, also apparent. In both situations it is important to consider the means of controlling materials which go into the weapons: in the case of nuclear weapons it was deemed essential to have controls applied over fissionable materials; in the case of chemical weapons there is inescapably a problem of what control should exist over the agents, such as nerve agents and mustard, which would go into chemical munitions. The non-proliferation Treaty shows us a kind of verification which the Soviet Union considered appropriate, indeed necessary, on the territory of other States in order to gain assurance that other parties were not making weapons contrary to the prohibitions of the treaty.

30. I should like to call attention to another provision of the socialist draft treaty—that is paragraph 3 of article 7. According to the text in United Nations document A/7655, that paragraph says that the socialist convention would enter into force after the deposit of a certain number of instruments of ratification,

... including the instruments of ratification of the governments of States which are permanent members of the United Nations Security Council and of other Governments designated as depositaries of the Convention.¹⁹

We wonder what would be the practical result of that provision. Is the Soviet Union proposing that a comprehensive prohibition on chemical and biological weapons should come into force only after it is ratified by each permanent member of the Security Council? In other words, is the Soviet Union suggesting that each permanent member may determine whether or not this treaty ever enters into force?

31. I would not mention this matter if it were a mere technicality related to the so-called formal or final provisions of the draft treaty. In fact, the question of which countries, and how many, are essential parties for any arms-control treaty is a matter of basic significance. I find it curious, therefore, that the socialist draft uses this highly unusual formulation—indeed, I know of no precedent for it—, since the Soviet Union and its allies were prepared to accept the ratifications only of the United States, the United Kingdom and the Soviet Union as sufficient for the limited

¹⁸ *Documents on Disarmament*, 1968, pp. 461-465.

¹⁹ *Ibid.*, 1969, p. 456.

test-ban Treaty and the nuclear non-proliferation Treaty to come into force. The extraordinary and unusually cumbersome procedure for the socialist draft convention on chemical and bacteriological (biological) weapons to come into force suggests at the very least that the Soviet Union may not actually assign that degree of urgency to the problem of those weapons that the representative of the Soviet Union has claimed on a number of occasions.

32. Permit me to quote one such statement:

In view of the danger, increased in recent years, of the use of chemical and bacteriological agents of warfare, and in view of the creation in several countries of particularly destructive weapons of this type, the problem of their complete prohibition has become extremely urgent.²⁰

Frankly, I find it difficult to reconcile that remark with the unusual formula proposed for the coming into effect of the socialist draft convention.

33. Much has been said in this Committee about the need to take political decisions. It is indisputable that governments must at some point take political decisions with respect to arms-control treaties that are ripe for conclusion. On 18 August the distinguished representative of the United Kingdom explained at considerable length what inevitably must be involved in the process of making responsible political decisions.²¹ Those comments seem to us particularly wise and revealing, and the United States delegation associates itself fully with them.

34. When the question of political decisions arises it is also relevant to consider what political decisions have already been taken by important participants in negotiations. Permit me to summarize the political decision which has already been taken by the United States. That is a decision to renounce the production and stockpiling of biological weapons and to work as hard as possible for a broadly-accepted international agreement in which others would join in renouncing biological weapons. That decision was taken in the belief that a biological-weapons treaty might be elaborated and concluded, provided there was good will on all sides, in the relatively near future. That decision was accompanied by a decision to work within this Committee in a serious way on the problems that may permit us in time to achieve further prohibitions regarding chemical weapons.

35. It seems to us that the decision taken last year by the Soviet Union was a very different sort of political decision. It was a decision to join with its allies in submitting to the General Assembly, at a time when this Committee was in session and had under consideration the subject of chemical and biological weapons, a draft treaty which by its sweeping character had an immediate superficial political appeal but which swept under the

²⁰ *Ante*, pp. 14-15.

²¹ *Ante*, p. 438.

rug a great many difficult problems. And at the same time, apparently, the Soviet Union decided to oppose in this Committee the detailed technical investigation of these problems, a greater understanding of which could permit us to make real progress with respect to a treaty of chemical weapons.

36. As I indicated earlier, the United States does agree with one of the principal points made by the representative of the Soviet Union during these debates. This is the point that the possession by one or another nation of chemical weapons can deter the initiation of their use. We do not agree, however, that this applies to biological weapons. We believe that governments should study seriously the political, technical and military considerations which should lead them to join the United States, the United Kingdom and other countries in deciding that biological weapons need not be produced and stockpiled and thus kept available for retaliation.

37. We have taken our far-reaching decision because of our assessment that biological weapons do not have an effective retaliatory capability—an assessment that all countries and mankind as a whole would be better off if we were to take a political decision that even the use of disease as a weapon of war by one country would not result in additional disease being visited upon mankind by other countries. We continue to hope that still more countries, including the Soviet Union, will be prepared to take this decision. When that happens we shall be able to take an important step forward—the negotiation and conclusion of a treaty banning the production and stockpiling of biological weapons. Such a step would be an important strengthening of the Geneva Protocol, which President Nixon has just submitted to the United States Senate for advice and consent to ratification²²; and it would be a significant encouragement to us in our efforts to make progress as rapidly as we can towards a treaty on chemical weapons.

U.A.R. Working Paper Submitted to the Conference of the Committee on Disarmament: Suggestions on Measures of Verification of a Ban on Chemical and Biological Weapons, September 1, 1970¹

1. When dealing with the issue of verification of CBW, the following points need to be taken into account:

- (a) CW cannot be banned without adequate verification.
- (b) Agreement on a procedure of verification, despite apparent difficulties, is not out of reach.
- (c) Verification need not be 100 per cent effective. That would be both unnecessary and impossible to achieve.

²² See *ante*, pp. 445-446.

¹ CCD/314, Sept. 1, 1970.

(d) Verification has both a technical and a political aspect. These two aspects must be, as much as possible, reconciled.

(e) Aspects of verification must be considered in such a way as to produce a solution properly adjusted to present day facts and conditions.

(f) Procedures of verification should be both national and international. They should complement one another in the most suitable manner.

2. Procedures of verification should fulfill two purposes: a preventive one, seeking the non-occurrence of a violation, and a curative one, to ascertain responsibilities in case a violation has been committed. These purposes could, perhaps, be best achieved by the following means:

(a) Each state party to the treaty is to undertake, within a certain period of time from the entry into force of the treaty all necessary legal, administrative and otherwise practical measures, conducive to ensure the respect of the prohibitions and the elimination of stockpiles of the banned weapons. Furthermore, each party should inform the Security Council, or perhaps an impartial international body agreed to, on the steps it took in this regard, as well as on the completion of the elimination of its stockpiles. This procedure could be repeated whenever deemed necessary.

(b) Each state party is to undertake the forwarding of relevant basic information to be agreed upon to the above mentioned impartial international body with a view to assist the technical process of verification. Furthermore, assistance of existing competent international organs such as WHO, FAO etc. . . . could be called upon.

(c) In case of doubt arising concerning the activities of a state this would have to be reported to the Security Council which could take the necessary measures of investigation. A complaint could be, of course, directly lodged with the Security Council.

3. These procedures would notably increase in efficacy and credibility if there would be incorporated in the treaty a provision on withdrawal therefrom as well as another regarding a review conference. This would be a proper safeguard for ensuring the respect by all of the obligations entered upon.

Revised American-Soviet Draft Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof, September 1, 1970¹

The States Parties to this Treaty,

¹ CCD/269/Rev. 3, Sept. 1, 1970.

Recognizing the common interest of mankind in the progress of the exploration and use of the seabed and the ocean floor for peaceful purposes,

Considering that the prevention of a nuclear arms race on the seabed and the ocean floor serves the interests of maintaining world peace, reduces international tensions, and strengthens friendly relations among States,

Convinced that this Treaty constitutes a step towards the exclusion of the seabed, the ocean floor and the subsoil thereof from the arms race,

Convinced that this Treaty constitutes a step towards a Treaty on general and complete disarmament under strict and effective international control, and determined to continue negotiations to this end,

Convinced that this Treaty will further the purposes and principles of the Charter of the United Nations, in a manner consistent with the principles of international law and without infringing the freedoms of the high seas,

Have agreed as follows:

Article I

1. The States Parties to this Treaty undertake not to emplant or emplace on the seabed and the ocean floor and in the subsoil thereof beyond the outer limit of a seabed zone as defined in Article II any nuclear weapons or any other types of weapons of mass destruction as well as structures, launching installations or any other facilities specifically designed for storing, testing or using such weapons.

2. The undertakings of paragraph 1 of this Article shall also apply to the seabed zone referred to in the same paragraph, except that within such seabed zone, they shall not apply either to the coastal State or to the seabed beneath its territorial waters.

3. The States Parties to this Treaty undertake not to assist, encourage or induce any State to carry out activities referred to in paragraph 1 of this Article and not to participate in any other way in such actions.

Article II

For the purpose of this Treaty the outer limit of the seabed zone referred to in Article I shall be coterminous with the twelve-mile outer limit of the zone referred to in Part II of the Convention on the Territorial Sea and the Contiguous Zone, signed in Geneva on 29 April 1958² and shall be measured in accordance with the provisions of Part I, Section II, of this Convention and in accordance with international law.

Article III

1. In order to promote the objectives of and ensure compliance with the provisions of this Treaty, each State Party to the Treaty

² 15 UST 1606.

shall have the right to verify through observation the activities of other States Parties to the Treaty on the seabed and the ocean floor and in the subsoil thereof beyond the zone referred to in Article 1, provided that observation does not interfere with such activities.

2. If after such observation reasonable doubts remain concerning the fulfilment of the obligations assumed under the Treaty, the State Party having such doubts and the State Party that is responsible for the activities giving rise to the doubts shall consult with a view to removing the doubts. If the doubts persist, the State Party having such doubts shall notify the other States Parties, and the Parties concerned shall co-operate on such further procedures for verification as may be agreed, including appropriate inspection of objects, structures, installations or other facilities that reasonably may be expected to be of a kind described in Article 1. The Parties in the region of the activities, including any coastal State, and any other Party so requesting, shall be entitled to participate in such consultation and co-operation. After completion of the further procedures for verification, an appropriate report shall be circulated to other Parties by the Party that initiated such procedures.

3. If the State responsible for the activities giving rise to the reasonable doubts is not identifiable by observation of the object, structure, installation or other facility, the State Party having such doubts shall notify and make appropriate inquiries of States Parties in the region of the activities and of any other State Party. If it is ascertained through these inquiries that a particular State Party is responsible for the activities, that State Party shall consult and co-operate with other Parties as provided in paragraph 2 of this Article. If the identity of the State responsible for the activities cannot be ascertained through these inquiries, then further verification procedures, including inspection, may be undertaken by the inquiring State Party, which shall invite the participation of the Parties in the region of the activities, including any coastal State, and of any other Party desiring to co-operate.

4. If consultation and co-operation pursuant to paragraphs 2 and 3 of this Article have not removed the doubts concerning the activities and there remains a serious question concerning fulfilment of the obligations assumed under this Treaty, a State Party may, in accordance with the provisions of the Charter of the United Nations, refer the matter to the Security Council, which may take action in accordance with the Charter.

5. Verification pursuant to this Article may be undertaken by any State Party using its own means, or with the full or partial assistance of any other State Party, or through appropriate international procedures within the framework of the United Nations and in accordance with its Charter.

6. Verification activities pursuant to this Treaty shall not interfere with activities of other States Parties and shall be

conducted with due regard for rights recognized under international law including the freedoms of the high seas and the rights of coastal States with respect to the exploration and exploitation of their continental shelves.

Article IV

Nothing in this Treaty shall be interpreted as supporting or prejudicing the position of any State Party with respect to existing international conventions, including the 1958 Convention on the Territorial Sea and the Contiguous Zone, or with respect to rights or claims which such State Party may assert, or with respect to recognition or non-recognition of rights or claims asserted by any other State, related to waters off its coasts; including inter alia territorial seas and contiguous zones, or to the seabed and the ocean floor, including continental shelves.

Article V

The Parties to this Treaty undertake to continue negotiations in good faith concerning further measures in the field of disarmament for the prevention of an arms race on the seabed, the ocean floor, and the subsoil thereof.

Article VI

Any State Party may propose amendments to this Treaty. Amendments shall enter into force for each State Party accepting the amendments upon their acceptance by a majority of the States Parties to the Treaty and thereafter for each remaining State Party on the date of acceptance by it.

Article VII

Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes of the preamble and the provisions of the Treaty are being realized. Such review shall take into account any relevant technological developments. The review conference shall determine in accordance with the views of a majority of those Parties attending whether and when an additional review conference shall be convened.

Article VIII

Each State Party to this Treaty shall in exercising its national sovereignty have the right to withdraw from this Treaty if it decides that extraordinary events related to the subject matter of this Treaty have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other States Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the

extraordinary events it considers to have jeopardized its supreme interests.

Article IX

The provisions of this Treaty shall in no way affect the obligations assumed by States Parties to the Treaty under international instruments establishing zones free from nuclear weapons.

Article X

1. This Treaty shall be open for signature to all States. Any State which does not sign the Treaty before its entry into force in accordance with paragraph 3 of this Article may accede to it at any time.

2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and of accession shall be deposited with the Governments of _____ which are hereby designated the Depositary Governments.

3. This Treaty shall enter into force after the deposit of instruments of ratification by twenty-two Governments, including the Governments designated as Depositary Governments of this Treaty.

4. For States whose instruments of ratification or accession are deposited after the entry into force of this Treaty it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The Depositary Governments shall promptly inform the Governments of all signatory and acceding States of the date of each signature, of the date of deposit of each instrument of ratification or of accession, of the date of the entry into force of this Treaty, and of the receipt of other notices.

6. This Treaty shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

Article XI

This Treaty, the Chinese, English, French, Russian and Spanish texts of which are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Treaty shall be transmitted by the Depositary Governments to the Governments of the States signatory and acceding thereto.

In witness whereof the undersigned, being duly authorized thereto, have signed this Treaty.

Done in _____ at _____, this
_____ day of _____, _____.

**Statement by the Soviet Representative (Roshchin) to the
Conference of the Committee on Disarmament: Revised Draft
Sea-Bed Treaty, September 1, 1970¹**

Today the Conference of the Committee on Disarmament is receiving for consideration a new revised draft treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and in the subsoil thereof.² This newly-revised draft is the product of the lengthy and comprehensive discussions and consultations which took place in 1969 and 1970, both in the Committee and at the General Assembly. During those discussions and consultations, all the provisions of the draft treaty were examined and carefully pondered. The views and suggestions advanced have been taken into account in the process of preparing this draft, and those passages which produced the greatest differences of opinion have been worked on with particular care.

3. Let me now review the changes that have been introduced in the new draft as compared with the draft of 23 April.³

4. First of all, the draft treaty now has a new article—article V—which refers to an undertaking by the parties to the treaty—

“... to continue negotiations in good faith concerning further measures in the field of disarmament for the prevention of an arms race on the sea-bed, the ocean floor, and the subsoil thereof.”

The new article envisages further steps to demilitarize the sea-bed, and reflects the interest of the vast majority of the States members of the Committee in negotiations to that end. It is based on the Swedish amendment,⁴ which was included as one of the proposals in the working paper of nine non-aligned States.⁵ The acceptance of this new article entails the consequential deletion of the last part of the former third preambular paragraph, namely the words “and determined to continue negotiations concerning further measures leading to this end.”

5. It is worth noting in this connexion that on 18 June the representative of Poland proposed that the Committee should keep on its agenda the question of preventing an arms race on the sea-bed so that the members of the Committee could—

“... raise the question of further steps leading to the demilitarization of this important area whenever they see that a question is ripe for discussion, without waiting for the review conference ...”⁶

¹ CCD/PV. 492, pp. 5-10.

² *Supra*.

³ *Ante*, pp. 185-188.

⁴ *Documents on Disarmament, 1969*, p. 486.

⁵ *Ante*, pp. 349-350.

⁶ CCD/PV. 471, p. 7.

We fully support that proposal by the Polish delegation, and consider that in conjunction with the new article V of the draft treaty it will open the way to further progress in the demilitarization of the sea-bed. We understand that this proposal is endorsed by the other delegations and that the question of the further demilitarization of the sea-bed and ocean floor accordingly remains on the Committee's agenda.

6. At the meeting of 9 July the Mexican delegation expressed its view on the need to prohibit the use of the continental shelf for military purposes.⁷ That suggestion, along with other ideas put forward by various delegations with regard to a more extensive demilitarization of the sea-bed and ocean floor, will have to be considered during the negotiations referred to in article V of today's draft and in the Polish proposal. It goes without saying that nothing in the present treaty is to be interpreted as affecting obligations that States may assume as a result of future negotiations on the demilitarization of the sea-bed, or obligations already assumed by States parties to any other international agreement relating to disarmament. That is an obvious consequence of the letter and spirit of article IV of the draft treaty.

7. I should now like to turn to the amendments made in article III.

8. Many delegations have urged that the verification system provided by the treaty should include the possibility of recourse to international procedures. The provision to that effect contained in the working paper of the nine non-aligned countries has been added to paragraph 5 of article III, which now states that verification may be undertaken by a State party to the treaty not only by its own means or with the full or partial assistance of any other State party, but also "through appropriate international procedures within the framework of the United Nations and in accordance with its Charter". We believe that wording, the search for which required the joint efforts and goodwill of the members of the Committee, constitutes the optimum version, and we think it satisfies the maximum number of participants in the negotiations.

9. There are two modifications in paragraph 6 of article III. First, in response to the views expressed by the delegations of Brazil⁸ and Argentina,⁹ the reference to rights recognized under international law including the freedoms of the high seas has been moved from paragraph 1 to paragraph 6. Secondly, in consideration of the wishes of those two countries and of Mexico,¹⁰ a change has been made in the wording of the part referring to the rights of coastal States with respect to their continental shelves.

⁷ *Ante*, pp. 299-308.

⁸ CCD/PV. 475, p. 25.

⁹ *Ante*, p. 285.

¹⁰ *Ante*, pp. 305-308.

The difference between the new wording and the old is that it now has a more general character. In the consultations on this revision one of the premises of the participants was article IV of the draft, which provides that nothing in the treaty is to be interpreted as supporting or prejudicing the rights or claims of States with respect to continental shelves.

10. Further, in paragraph 2 of article III there are now some additional provisions which set out in greater detail the procedure for notifying States parties regarding doubts which might arise with respect to observance of the treaty and also the results of verification procedures. The basis for those revisions was the proposal of the nine non-aligned States, to which I have already referred.

11. The same paragraph and paragraph 3 contain changes which strengthen the wording concerning the rights of States parties, including any coastal State, to participate in consultations and co-operation and also in further verification procedures. Those revisions, suggested by Brazil¹¹ and Argentina,¹² have received the support of other States.

12. Article III in its present form establishes a reliable and flexible system of verification of the observance by States parties of the obligations they have assumed. It provides for observation of the activities of other States parties to the sea-bed treaty; notification of States parties of doubts concerning the observance of the treaty; co-operation and consultation between the parties, including any coastal State; notification of the results of verification, and lastly such investigation procedures as inspection. In addition to the national forms of verification, the verification system includes international procedures and the possibility of recourse by States to the Security Council for the examination of doubts regarding observance of the treaty.

13. We have also taken into account the fact that in practice there might be cases where, because of various political circumstances connected with a party's relations with other States or associated with the general international situation, it could not enter into the consultations provided for in article III of the draft treaty. On that question we deem it necessary to repeat the statement we made on 23 April, in which we said that the provision of paragraph 2 of article III on the holding of consultations between States parties for the purpose of removing possible doubts concerning the observance of the treaty is not, of course, an indispensable prerequisite for the exercise by the parties of their right under paragraph 4 to refer the matter to the Security Council in accordance with the United Nations Charter where there are serious grounds for doing so. Consequently any State

¹¹ CCD/264, Aug. 21, 1969.

¹² *Documents on Disarmament*, 1969, p. 704.

party to the treaty may apply directly to the Security Council even without resorting to consultations.¹³

14. During the discussions on the draft sea-bed treaty the delegation of Mexico and some other delegations suggested that in paragraph 2 of article I the words "or to the sea-bed beneath its territorial waters" should be deleted. In that connexion I should like to recall that those words were the outcome of prolonged and difficult negotiations both in the Committee on Disarmament and at the twenty-fourth session of the United Nations General Assembly. In arriving at this form of words we took into account the proposals of a number of States. Naturally it bears the stamp of the discussion during which it was drafted. We firmly maintain that the provisions of paragraph 2 of article I completely exclude the possibility that any State should engage in activities prohibited by the treaty on the sea-bed in the area between the territorial waters of another State, if these are less than twelve miles, and the outer limit of the twelve-mile zone. This quite obviously does not mean that such activities are permitted under the territorial waters of another State.

15. The Mexican delegation renewed the proposal it made at the twenty-fourth session of the United Nations General Assembly to include in the article on nuclear-free zones—article IX of the newly revised draft—an undertaking by States parties to the treaty not to contribute to the commission in the zone referred to in article I of acts involving a violation of obligations undertaken by those parties under an agreement on nuclear-free zones.¹⁴ In that connexion we should like to refer to paragraph 3 of article I, which embodies the obligation not to induce other States to carry out activities prohibited by the treaty. We interpret that paragraph as fully covering the Mexican proposal and as not allowing the activities mentioned in that proposal.

16. The delegation of the United Arab Republic made a suggestion concerning article VIII of the former draft—which is article IX of the new revised draft. Speaking on 7 July Mr. Khallaf, the representative of the United Arab Republic, suggested that there should be a reservation in that article to the effect that the treaty would not affect the obligations of States under other nuclear disarmament agreements, and in particular the non-proliferation Treaty.¹⁵ We should like to emphasize that this is covered by article IV of the draft treaty, which applies to all international agreements, including the non-proliferation Treaty. The article states that—

Nothing in this Treaty shall be interpreted as supporting or prejudicing the position of any State Party with respect to existing international conventions . . .

¹³ See *ante*, p. 178.

¹⁴ See *ante*, pp. 331-332.

¹⁵ For Ambassador Khallaf's statement, see CCD/PV. 476, pp. 20-21. The nonproliferation treaty may be found in *Documents on Disarmament, 1968*, pp. 461-465.

17. As we have said before, we attach great importance to this article of the draft treaty, which concerns the problem of the relationship between the obligations assumed under the present treaty and the positions of States with respect to other existing international conventions. We have repeatedly stressed that the provisions of the sea-bed treaty are designed solely to accomplish the purpose that the treaty is designed to serve—namely, to prevent the extension of the race in nuclear and other weapons of mass destruction to the sea-bed. The treaty is not intended to solve numerous questions of international law, including the law of the sea, to confirm or annul obligations assumed by States under other international agreements, or to prejudge possible future solutions in that sphere. In our view article IV of the draft treaty fully serves that end.

18. In summing up the results of the long, strenuous effort to prepare and agree on the draft treaty, we feel fully justified in saying that the draft treaty now before the Committee represents a fusion of the positions and points of view, not only of the States members of the Committee on Disarmament, but also of the much larger body of States that participated in the discussion of this problem during the twenty-fourth session of the United Nations General Assembly. This universal approach testified to the great importance that is attached to the problem of excluding the sea-bed from the arms race and, first and foremost, the nuclear arms race. The importance and significance of the draft treaty on the sea-bed have been stressed by many delegations both in this Committee and in the General Assembly. The representative of Morocco, for example, stated that his country—

“...attaches great importance to the speedy conclusion of a treaty excluding the sea-bed from the nuclear arms race, as a first step towards the more complete demilitarization of that environment, so necessary to the survival and well-being of humanity”.¹⁶

The head of the Pakistan delegation stressed that “the draft treaty is in the interests of all the countries of the world”.¹⁷ Many other delegations have taken a positive view of the draft treaty, considering it a document of the greatest international importance.

19. The conclusion of this treaty will undoubtedly play an important part in preventing the spread of nuclear weapons and other weapons of mass destruction to so important an environment as the sea-bed and the ocean floor, covering two-thirds of the world's surface. This treaty will be an important step towards the exclusion of the sea-bed from the sphere of military activities, and will create favourable conditions for the adoption of other

¹⁶ CCD/PV. 477, p. 22.

¹⁷ *Ibid.*, p. 25.

arms-control and disarmament measures. That is why the treaty is in the interests of all mankind. Its substance is based on the premise that all countries and peoples are interested in ensuring security, and it will no doubt contribute to the lessening of international tension and the improvement of relations among States.

20. In conclusion, I should like to express the hope that the members of the Committee will approve the new revised draft treaty and that we shall be able to submit it to the General Assembly at its twenty-fifth session as the final product of our joint efforts, of our combined labours, during which we have shown mutual understanding, respect for the views of opponents and great determination to produce an important international instrument. We believe that this would be a positive result with which we could go to the General Assembly's jubilee session. I should also like to express the hope that the draft treaty will receive wide support in the General Assembly, that it will be opened for signature, and that in the near future yet another useful and necessary international instrument will be added to the list of existing disarmament agreements.

**Statement by the United States Representative (Leonard) to the
Conference of the Committee on Disarmament: Revised Draft
Sea-Bed Treaty, September 1, 1970¹**

This Committee has travelled a long and difficult road during the past year. Today the delegations of the Soviet Union and the United States have submitted a new revised draft of the sea-bed treaty, the treaty which has consumed so much of our collective energies.² This draft represents the culmination of a negotiating process which had been under way for quite some time even last October, when the two delegations presented their first joint draft.³

22. As is abundantly evident from the history of the Committee's work since that time, the co-Chairmen put forward that joint proposal in a spirit of willingness to negotiate. The thoughtful and energetic participation of all the delegations has led to a profound improvement in the treaty, making it both more effective and much more widely acceptable in the international community. In the process, we believe, this Committee itself has been substantially strengthened.

23. I shall comment only briefly on the amendments which have been incorporated in the new draft, since they are already

¹ CCD/PV. 492, pp. 10-14.

² *Ante*, pp. 475-479.

³ *Documents on Disarmament*, 1969, pp. 473-475.

familiar to members of the Committee as a result of extensive formal and informal consultations.

24. A number of changes have been made in article III in order to take into account the views of certain delegations concerning means of avoiding any implication of prejudice to differing positions on law-of-the-sea issues. In that connexion I want to emphasize again a point which has been fundamental to these negotiations: all the provisions of this treaty, including those relating to verification through observation as well as other verification activities, are designed to ensure that the treaty will accomplish its arms-limitation purposes; the provisions of the treaty are not intended to affect any of the various outstanding problems regarding the law of the sea. While the United States has taken this position from the very beginning and has felt that previous drafts were responsive to this need, we have continued to work with other delegations to find formulations which all could accept as being entirely neutral on these issues. We believe that article III as now drafted, together with the article IV disclaimer, which remains unchanged, should remove any remaining doubt as to the possibility that the treaty might affect law-of-the-sea issues.

25. Let me now note the principal changes which have been made in article III as it appeared in the 23 April draft.⁴ First, the final phrase of paragraph 1, which provides that verification shall not infringe rights recognized under international law, including the freedoms of the high seas, has been moved to paragraph 6. This change improves the logical organization of the article and, we trust, is responsive to some of the suggestions advanced in this Committee.

26. As suggested by the delegation of Yugoslavia⁵ and in working paper CCD/297,⁶ several changes were made in paragraph 2. First, a requirement has been added that where there are persistent doubts concerning the fulfilment of obligations assumed under the treaty, the State party having such doubts shall notify the other States parties. Moreover, after completion of such further verification procedures as may be agreed, the State party which initiated such procedures shall circulate an appropriate report to the other States parties. This addition is responsive to the concern of a number of delegations that a party might not have adequate knowledge of verification activities conducted in areas in which it felt it had an interest.

27. In connexion with that change, it appeared desirable to introduce in the second sentence of paragraph 2 the phrase "the Parties concerned". This term is intended to include the State party responsible for the activities, the State party having the doubts and any other States parties which, as parties in the region or at their own request, are involved.

⁴ *Ante*, pp. 186-187.

⁵ CCD/PV. 473, pp. 28 ff.

⁶ *Ante*, pp. 349-350.

28. At the suggestion of Argentina,⁷ Brazil⁸ and others, two additional points have been clarified. First, a new phrase "including any coastal State" has been added to make it clear beyond question that a coastal State party would be included in the group of countries which, as parties in the region, could participate in consultation and co-operation pursuant to paragraph 2. Second, the phrase "may participate" has been changed to "shall be entitled to participate", in order to make it clear that such participation is a right, and not a mere possibility, under this treaty. The phrase "including any coastal State" has also been added in paragraph 3.

29. Paragraph 5 has been modified by the addition of the phrase: "or through appropriate international procedures within the framework of the United Nations and in accordance with its Charter." That, of course, is the formulation proposed by nine non-aligned delegations in working paper CCD/297. We appreciate their helpful effort to find language which could be accepted by all delegations in order to meet the widely-felt need for a reference in paragraph 5 to international procedures.

30. Finally, paragraph 6 has been rephrased. In addition to the change I have mentioned, the reference to the rights of coastal States has been reformulated. The new draft refers to rights with respect to exploration and exploitation. That change was made in response to the desire expressed by many delegations for a more general formulation which could not possibly be read as prejudicing or reinforcing any particular view of the scope of rights with respect to the continental shelf. The deletion of the words "sovereign or exclusive" from the 23 April draft contributes to the generality of the language, but it does not in any way call into question the existence of sovereign or exclusive rights of coastal States recognized under international law, including the 1958 Geneva Convention on the Continental Shelf.⁹

31. In concluding my discussion of article III I should like to recall that a number of the ideas embodied in the amendments I have described were suggested by the delegation of Brazil last year in its working paper ENDC/264.

32. As all delegations are aware, an operative article regarding further negotiations has been added as article V in the new draft. In view of the great importance that was attached to such a provision by a large number of delegations in this Committee, all of which have been striving with us to elaborate a widely-acceptable treaty, we made intensive efforts to find a formula which we could accept and which would meet that point satisfactorily. I believe that those efforts have been successful. We also note in this connexion that under the proposal of the Polish delegation,¹⁰

⁷ *Ante*, pp. 285-286.

⁸ CCD/PV. 473, pp. 25 ff.

⁹ 15 UST 471.

¹⁰ CCD/PV. 471, p. 7.

which has been supported by many other delegations, the question of the prevention of an arms race on the sea-bed will remain on this Committee's agenda.

33. I have covered in the preceding paragraphs the substance of the modifications in the current draft. In the light of the fact that some concern has been expressed about certain other articles of the treaty, however, I should like to comment briefly on two or three points.

34. First, a question has been raised as to the relationship between this treaty and treaties establishing nuclear-free zones. The delegation of Mexico, in a working paper of 1 December 1969, suggested that there be included in the treaty two provisions, one ensuring that the treaty could not be interpreted as affecting obligations under treaties establishing nuclear-free zones, and the second constituting an undertaking not to contribute to a violation of such obligations.¹¹ The first, of course, was included in the 23 April draft and appears as article IX in the new draft.

35. With respect to the second suggestion of Mexico for article IX, it should be noted that paragraph 3 of article I of the present treaty contains an undertaking not to assist, encourage or induce any State to carry out activities falling within the prohibitions of paragraph 1 of that article. That provision, of course, would be fully applicable within any nuclear-free zone, and it would seem to achieve the same objectives with respect to the activities covered by the treaty as would the second of the two provisions suggested by the delegation of Mexico. United States support for the principle of nuclear-free zones is a matter of record; and I want to make it clear that my Government would not take any action which might prejudice the integrity of a nuclear-free zone.

36. With respect to paragraph 2 of article I, a question has been raised whether that clause could lead to ambiguities. We do not believe that it could. The exemption in paragraph 2 of article I with respect to the sea-bed beneath the territorial sea within the sea-bed zone does not in itself constitute granting of permission for the emplacement of weapons of mass destruction within such territorial sea. The treaty therefore leaves unaffected the sovereign authority and control of the coastal State within such territorial sea.

37. Finally, just as the treaty does not affect obligations assumed under treaties establishing nuclear-free zones, so also it does not affect or lessen obligations under other arms-control treaties, including the Treaty on the Non-Proliferation of Nuclear Weapons¹² and the limited test-ban Treaty.¹³

38. I need not remind the members of this Committee what a complex structure we have developed in this treaty. There is now

¹¹ A/C.1/995.

¹² *Documents on Disarmament*, 1968, pp. 461-465.

¹³ *Ibid.*, 1963, pp. 291-293.

scarcely a word in its main operative part—the first five articles—which can be touched without upsetting some carefully-balanced part of our structure of compromise. The difficult balancing of interests reflected in the instrument should, in our view, be a matter of pride to each of the delegations of this Committee, for it has emerged in its present form only as a result of long and co-operative work on the part of all delegations.

39. While the delicate series of compromises contained in the treaty is of course well known to us within the Committee, it will be less clear to those whose participation in this project will begin with the submission of our final draft to the General Assembly. There will undoubtedly exist a temptation on the part of some to suggest changes in the treaty—changes which will seem simple to those who have not spent the last year in lengthy, complicated, sometimes frustrating negotiations.

40. The United States, for its part, is firmly convinced that the treaty as at present drafted is worthy of the widest possible acceptance; and we intend to do everything possible to convey to governments not represented in this Committee our view that the treaty fairly protects, and substantially advances, the interests of all members of the international community. It is our hope that the governments represented in this Committee will provide their full support to this last aspect of our work on the sea-bed treaty, to the end that we may achieve early and widespread support for the treaty at the General Assembly and its opening for signature at the earliest possible date.

**Statement by the Soviet Representative (Roshchin) to the
Conference of the Committee on Disarmament: Chemical and
Bacteriological Weapons, September 2, 1970¹**

Today the Soviet delegation would like to comment on the discussion of the prohibition of chemical and bacteriological weapons. During some of the recent meetings of the Committee we have heard a number of important statements and suggestions concerning this problem.

3. First, we are gratified to note the submission of the joint memorandum of the twelve non-aligned States, in which they explain their position on important aspects of the problem.² The Soviet delegation would like to state that we share the basic propositions advanced by the twelve members of the Committee in their memorandum. The Soviet delegation is particularly gratified to note the proposition which states:

It is essential that both chemical and bacteriological (biological) weapons should continue to be dealt with together in taking steps towards the prohibition of their

¹ CCD/PV. 493, pp. 5-12.

² *Ante*, pp. 453-455.

development, production and stockpiling and their effective elimination, from the arsenals of all States.

4. We are also gratified to note the part of the memorandum which brings out the importance of General Assembly resolution 2162 B (XXI) in stating that—

The General Assembly has . . . called for the strict observance by all States of the principles and objectives of the Geneva Protocol of 1925, condemned all actions contrary to those objectives and invited all States, which had not already done so, to accede to the Protocol.³

and of General Assembly resolution 2603 A (XXIV), where it says that—

The General Assembly has . . . also made a clear affirmation that the prohibition embodied in that Protocol was comprehensive and covered the use in international armed conflicts of all biological and chemical methods of warfare, regardless of any technical developments.⁴

5. Important suggestions and ideas concerning the prohibition of chemical and bacteriological weapons have also been expressed in the statements of a number of representatives. Very detailed and convincing arguments in justification of the proposition that such types of weapons should be prohibited completely have been advanced in statements of the representatives of Nigeria, Morocco, India, the United Arab Republic, Yugoslavia, Sweden, Mexico, Mongolia, Poland, Bulgaria and of many other delegations. We shall study those statements with all the attention they deserve.

6. The main feature of the discussion on prohibition of chemical and biological weapons has been the desire of States to co-operate in a businesslike way and to negotiate in a constructive spirit with a view to arriving at a solution acceptable to all. We believe that such an atmosphere should continue to prevail; and the fact that, on the whole, it is in this atmosphere that the discussion of the problem of chemical and bacteriological weapons is proceeding is a hopeful sign.

7. Against the general background of constructive statements and proposals on this problem the statement of the representative of the United States at our meeting of 27 August struck a discordant note. In his statement he again attacked the basic approach of many countries members of the Committee to the problem of prohibiting chemical and bacteriological weapons—namely the simultaneous prohibition of both types of weapons. He spoke of the absence of logic in that approach and in the refusal of some delegations to agree to the prohibition of biological weapons only. As an argument against a combined solution of the problem of prohibiting these types of weapons he again advanced the thesis that there were substantial differences between chemical and biological weapons. Biological weapons, he

³For res. 2162 B (XXI), see *Documents on Disarmament, 1966*, pp. 798-799. The Geneva protocol appears *ibid.*, 1969, pp. 764-765.

⁴Res. 2603 A (XXIV) may be found *ibid.*, pp. 716-717.

said, were strategic weapons and weapons of mass destruction, whereas chemical weapons could be used as tactical weapons, and not for mass destruction but for temporarily putting the enemy's armed forces out of action.⁵

8. That thesis, however, is not borne out by the conclusions of experts or by what is actually happening. For example, the Secretary-General's report says that the two types of weapons can be used on both the strategic and the tactical level, and that "some chemical and bacteriological (biological) weapons might spread their effects well beyond the target zone".⁶ An example of the strategic use of chemical weapons is being seen in Viet-Nam, where defoliants and herbicides have been used over large areas in order to destroy crops and thus wreck the country's economy. The fact also that certain types of bacteriological (biological) weapons can be used on the tactical level must not be overlooked.

9. Nor can the thesis of the United States delegation that there is no logic in the refusal of a number of delegations to settle for the prohibition of biological weapons alone be accepted as sound. There is rigorous logic and profound political sense in approaching the problem in question on the basis of considering together the prohibition of the two types of weapons. In a situation in which chemical weapons are being widely used and the States using them refuse stubbornly to prohibit them, the demand must be for the prohibition of both chemical and biological weapons. In existing circumstances the proposal to limit ourselves to the prohibition of biological weapons alone can only be regarded as an effort to evade the solution of an important problem—the prohibition of chemical weapons—and as an attempt to create the appearance of progress in the solution of that problem. In support of this we should like to quote a sentence from a statement of the representative of the United Arab Republic:

... it would seem to us a logical conclusion that biological weapons, whose use we all agree without exception is a more remote possibility than that of chemical weapons, need not be dealt with alone while allowing the latter to be further developed, further produced and further stockpiled, making their prohibition with every day that goes by an ever-more-difficult and complex task to accomplish.⁷

10. The representative of the United States further asked how the prohibition of biological weapons alone, leaving chemical weapons outside the ban, would promote the build-up of arsenals of chemical means of warfare.⁸ To that we would reply that the protagonists of the use of chemical means of warfare are being subjected to the pressure of broad public opinion in all the countries of the world, demanding the prohibition of both types of weapons, their unconditional condemnation. To separate these types of weapons, as insisted upon by the delegation of the United

⁵ *Ante*, p. 467.

⁶ *Documents on Disarmament*, 1969, p. 297.

⁷ CCD/PV. 490, pp. 15-16.

⁸ *Ante*, pp. 467-468.

States, would create a new qualitative situation. The approach to biological and to chemical weapons would be different: one type of weapons—biological weapons—would be prohibited; the other—chemical weapons—would be left outside the prohibition.

11. The question arises: Would such a situation strengthen those who advocate the use of chemical means of warfare? The answer is: Yes, without a doubt. Would it promote the build-up of arsenals of chemical weapons? In our view it would. Would such a situation weaken the existing prohibition—now in force—of the use of chemical and bacteriological weapons, a prohibition which has become a generally-accepted rule of international law? Yes; a separate and differentiated approach to these types of weapons, adopted and enshrined in an international agreement similar to the United Kingdom draft,⁹ would in our view weaken the Geneva Protocol, which embodies the will of the peoples and the legal norm prohibiting the use of chemical and bacteriological weapons.

12. What is the reason for, the real point of, the demand for a separate approach to the prohibition of chemical weapons on the one hand, and of bacteriological weapons on the other? It is to keep chemical weapons in the armaments of the United States so that they could be used, as in Viet-Nam, whenever the United States considers it necessary. Neither the Soviet Union nor many other members of the Committee can accept such an approach. Consequently we reject the whole idea of separating chemical and bacteriological weapons and prohibiting one type while leaving the other outside the prohibition.

13. In insisting on the need for a separate approach to chemical and bacteriological weapons, the representative of the United States claimed that this "has been demonstrated by over fifty years of history".¹⁰ But that is not so. If anything, the last half century tells us that, in all international instruments and documents concerning chemical and bacteriological weapons, both types of weapons have been dealt with together. These instruments and documents include the Geneva Protocol of 1925,¹¹ the Peace Treaties concluded after the Second World War, the State Treaty with Austria concluded in 1955,¹² the General Assembly resolutions on the subject, even the Paris Agreement of 1954 concerning the Western European Union,¹³ and others. The same prohibitory attitude has been adopted with respect to both types of weapons; neither has been excluded. And now the United States side is telling us to break with this practice, which has been followed for decades and has stood the test of time, by using a different approach to these types of weapons and prohibiting only one type: biological weapons.

⁹ *Ante*, pp. 428-431.

¹⁰ *Ante*, p. 467.

¹¹ *Documents on Disarmament*, 1969, pp. 764-765.

¹² *American Foreign Policy, 1950-1955: Basic Documents*, vol. I, pp. 643-675.

¹³ *Ibid.*, pp. 979 ff.

14. The representative of the United States has contended,¹⁴ that the draft convention proposed by the socialist countries providing for the complete prohibition of chemical and bacteriological weapons,¹⁵ as supplemented by the proposals of Poland, Hungary and Mongolia¹⁶ concerning recourse to the Security Council, contains no provisions for verification. The Soviet delegation and the delegations of other socialist countries have already given detailed clarification on that aspect. We have stressed that, under the draft convention of the socialist countries, verification of observance of the prohibition of chemical and bacteriological weapons is based on a combination of mutually-complementary national and international measures. We are gratified to note that this approach to the problem of control has also been adopted in the memorandum submitted by the twelve non-aligned States.

15. What we do not understand, however, is why the United States delegation endorses with respect to the United Kingdom draft convention a provision regarding recourse to the Security Council in case any country fails to observe its obligations under that convention, and at the same time rejects a similar provision for the draft convention of the nine socialist countries.

16. The United States side, moreover, has declared that the United States is prepared to renounce the production of biological weapons, toxins and certain types of lethal chemical substances. The United States delegation has assured the Committee that the production of those types of weapons has been halted in the United States for some time now.¹⁷ In this case the United States Government considers it possible to ensure that non-production of such weapons is observed, and raises no question about any kind of international verification. But when the socialist countries propose ensuring prohibition by an international treaty, the United States side argues that the provisions in the draft relating to verification are inadequate, and insists that prohibition of the production of chemical weapons requires extremely complex forms of control. That position can scarcely be regarded as logical.

17. In his statement on 27 August the United States representative expressed displeasure at the belittling by the Soviet side of the study of the technical aspects of a prohibition of chemical weapons and of the scientific and technical investigations that the United States has conducted in connexion with that problem.¹⁸ We should like to explain that in principle the Soviet side is far from opposed to scientific and technical research on various disarmament problems, if such research can contribute to a solution. But the technical research pertaining to chemical

¹⁴ *Ante*, p. 469.

¹⁵ *Documents on Disarmament*, 1969, pp. 455-457.

¹⁶ *Ante*, p. 140.

¹⁷ *Ante*, p. 467.

¹⁸ *Ante*, p. 465.

weapons proposed to the Committee by the United States delegation does not by any means promote a solution of the problem of prohibiting such weapons. Its purpose is to justify in one way or another the alleged impossibility, under present conditions, of solving the problem of the prohibition of those weapons.

18. The United States working papers¹⁹ contain no constructive proposals that could assist or facilitate the search for a solution to the problem with which we are dealing. They have a definite political aim: to leave chemical weapons outside the prohibition. We therefore cannot agree with the United States policy of substituting study of the technical aspects of control for consideration of the problem of prohibiting chemical and bacteriological weapons, since that approach promises nothing except to divert us from a positive solution of the problem.

19. In justification of its approach to the problem of prohibiting chemical and bacteriological weapons, the United States side asserts that the prohibition of biological weapons is the quickest way of ensuring that mankind will be spared the danger of the use of these types of weapons. We are told that by first prohibiting biological weapons alone we shall come nearer to the solution of the problem of prohibiting chemical weapons. But how can that be reconciled with the statement of the United States representative that to eliminate both types of weapons "is not possible and we do not know at this time whether or when it will be possible"²⁰? That pronouncement is in our view tantamount to saying that chemical weapons will never be prohibited.

20. Referring to the question of political decisions concerning the prohibition of chemical and bacteriological weapons, the United States representative did his best to extol the importance of the unilateral declaration by the United States renouncing biological means of warfare, and asserted that the Soviet side had not taken political decisions of equal importance.²¹ While not denying the importance of unilateral declarations on the problem of chemical and bacteriological weapons, we would note—and the representative of the United Arab Republic, Mr. Khallaf, drew the Committee's attention to this point—that such declarations are not binding in the strictly legal sense of the word. Mr. Khallaf quite rightly pointed out that, if all authors of declarations chose their own wording, they might—

... produce a variety of declarations each substantially different from or contradictory to the other, and thus the elaboration of an international instrument binding on all parties would be even more difficult to achieve.²²

¹⁹ *Ante*, pp. 91-93., 323-326, 455-459.

²⁰ *Ante*, p. 466.

²¹ *Ante*, pp. 473-474.

²² CCD/PV.490, p. 14.

21. We have stressed time and again that for the prohibition of chemical and bacteriological weapons what is needed first is the accession of all States to the international agreement already in existence—the Geneva Protocol of 1925. As a result of the General Assembly's appeal, some States—Japan, Brazil and Morocco—have recently adhered to the Protocol. The United States, however, is still not a party to the Protocol—a fact which is bound to be disquieting.

22. If we are to speak about the importance of particular political decisions, then unilateral declarations such as that made by the United States concerning the renunciation of biological weapons are no substitute for being a party to such international agreements as the Geneva Protocol, to which practically all members of the Committee have acceded except the United States. The participation of the USSR in the Geneva Protocol shows that the political decisions of the Soviet side on the question of prohibiting chemical and bacteriological weapons are more important than those of the United States. What is more, the socialist countries do not stop at accession to the Geneva Protocol in their efforts to prevent the use of chemical and bacteriological means of warfare. They have taken the initiative of proposing the complete prohibition of chemical and bacteriological (biological) weapons, and the Committee has before it a draft convention to that effect. We realize that not all aspects of this very great and important problem of the prohibition of chemical and bacteriological means of warfare are finally solved in that draft, and that extensive consultations and considerable work will be needed to make it an international instrument.

23. The problem of the complete prohibition of such types of weapons, which is the basic objective of the draft convention of the socialist countries, has been actively considered in the Committee; specific proposals have been made and ideas expressed on the best way of solving this problem. Important suggestions have been made to improve the provisions of the draft convention. We are hopeful that a constructive attitude on the part of delegations towards this problem will enable us to move forward to its solution. The representative of the United States has also given his views on the problem as a whole and on the draft convention. Regrettably they are purely negative views and do not contain any constructive elements that could bring us closer together and assist in the solution of our problem. The nature of his attacks on the draft convention confirms our opinion that the prohibition of the chemical weapons is not one of the objectives of the United States side.

24. In discussing the draft convention of the socialist countries on chemical and bacteriological weapons, the United States delegation has tried to reduce the whole matter to a dialogue between the United States and the USSR, as if, on the question of joint or separate consideration and solution of the problem of the

prohibition of chemical and bacteriological weapons, there were a clash between the positions of those two States only. Speaking on this problem the representative of the United States did not find it possible to comment on, or even to mention as it were, the extremely important document on this problem drafted and jointly submitted by the twelve non-aligned States.²³ That document is of great significance in clarifying the position of a large group of States which do not share the United States approach to the question of chemical and bacteriological weapons.

25. I shall not even point out that the representative of the United States passed over in silence other suggestions made in their statements by the representatives of a number of States members of the Committee. What he did say, however, was that

... we are encouraged because no delegation has said anything this year which indicates to us that this [i.e. the United Kingdom proposal] is an unsound proposal.²⁴

That assessment of the situation does not correspond to the facts. This is clearly shown by the memorandum of the twelve non-aligned States, which stresses that it is essential that the problems of both chemical and bacteriological weapons should be dealt with and solved together. The same point has been made in the statements of many representatives in the Committee, who have stressed the unsoundness of an approach which provides for the prohibition of biological weapons only and leaves chemical weapons outside the prohibition—the very essence of the United Kingdom proposal. It is hardly possible to conclude that the statements and suggestions of members of the Committee bear out the United States representative's assessment of their attitude to the Anglo-American proposal to prohibit biological weapons only.

26. Those are some of our views and comments on the statements of representatives, and more particularly of the representative of the United States, concerning the problem of chemical and bacteriological weapons.

Statement by the Soviet Representative (Roshchin) to the Conference of the Committee on Disarmament, September 3, 1970¹

We are approaching the end of our discussions in this Committee on matters of substance. There seems to be only one question left to be dealt with, that of the report to the General Assembly. Our delegation would therefore like to make a few general comments in connexion with the conclusion of the Committee's summer session.

²³ *Ante*, pp. 453-455.

²⁴ *Ante*, p. 465.

¹ CCD/PV.494, pp. 22-26.

76. At the end of the Committee's spring session in April we observed that this summer session would impose special responsibilities on the Committee, not only because we should have to finish our work on some of the problems under consideration, but also because the session would be taking place on the eve of the twenty-fifth session of the United Nations General Assembly.² It may be noted that the Committee is completing its work this year in circumstances marked by certain positive advances in the international situation. In a number of regions where a tense atmosphere has always existed we perceive possibilities of a change for the better. This is true of Europe, where the idea of the need for new specific measures to ensure European security is gaining strength. It also applies to some other regions of the world.

77. We are gratified that this Committee too, as a result of the work of its summer session, has been able to make a positive contribution to the cause of disarmament and international security. We have in mind first of all the draft treaty it has prepared on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and in the subsoil thereof.³ The discussion on such major problems as the elimination of chemical and bacteriological (biological) weapons from the life of mankind, and general and complete disarmament, has also been useful. Those are the problems on which attention has been focussed during the present session, and therefore we think it necessary to review our detailed discussion of them.

78. As many delegations have pointed out, the discussion of the draft treaty on the sea-bed and ocean floor was marked by an effort to reach agreement and resolve controversial matters in a spirit of search for mutually-acceptable compromises, and by a desire to give careful consideration to the suggestions and proposals that had been made. As a result, we managed to make a start on the demilitarization of an important environment whose conquest by man is, we believe, accelerating. The successful completion of the work on this draft treaty shows that it is really possible for us to find mutually-acceptable solutions to complex problems in the matter of stopping the arms race and achieving disarmament. The Soviet Union hopes that, by the joint efforts of the members of this Committee and other members of the General Assembly, the draft treaty will be supported and approved at the forthcoming session of the General Assembly, that it will not be long before the treaty is opened for signature and that a large number of States will become parties to it. In that event a new important norm of international law will be enshrined in the form of a treaty, which will serve as a point of departure for the

² *Ante*, p. 200.

³ *Ante*, pp. 475-479.

additional steps that must be taken for the further demilitarization of the sea-bed and the ocean floor.

79. An important contribution to the work of the Conference of the Committee on Disarmament has been the discussion of the problem of chemical and bacteriological (biological) weapons. We should like to note first of all that the Committee has recently moved more and more from a general consideration of this problem to examination of the specific substance of measures to prohibit the production and stockpiling of chemical and bacteriological weapons. A most promising development has been that more and more countries—and this has clearly become the prevailing view in the Committee—are taking as their premise the need for simultaneous prohibition of both chemical and bacteriological means of warfare. The Soviet delegation has already had occasion to draw attention⁴ to the memorandum submitted by the non-aligned countries members of the Committee.⁵ We believe that we are justified in saying that both in the Committee and outside it there is a growing general desire to see efforts to solve the problem of chemical and bacteriological weapons intensified.

80. One of the results of the discussion has been a better mutual understanding of the positions of States and of the substance of proposals concerning chemical and bacteriological weapons. In that connexion, however, it must be noted that serious difficulties have appeared on the way to a mutually-acceptable solution, because some Western Powers are not prepared at this time to seek a simultaneous solution to the problem of prohibiting both chemical and bacteriological weapons. But we believe that the final result of this summer session has been to increase our hopes and to give us better reason to think that in the future the Committee will be able to take positive steps for prohibiting chemical and bacteriological weapons on the basis that enjoys wide support in many countries of the world.

81. The discussion of the problem of general and complete disarmament has also been of great importance. Let me recall that at the beginning of the spring session the Soviet delegation called for renewed active consideration of that problem by the Committee.⁶ We are gratified to note that many other delegations have also spoken in favour of reviving the discussion of general and complete disarmament, and have put forward many suggestions on this question, which merits careful study. Indeed, it must be recognized that this problem is one of the most important tasks of the present time and that agreement on it would be a guarantee of peace and security for all peoples.

82. The very fact of this marked revival of the Committee's work on the problem of general and complete disarmament has positive significance. It corrects in the right direction the correlation of efforts both to solve the problem and to agree on

⁴ *Ante*, pp. 489, 495-496.

⁵ *Ante*, pp. 459-465.

⁶ *See ante*, pp. 18-19.

some partial measures of disarmament. In our view there is no denying that success in any of those efforts will have a positive effect on the entire course of disarmament negotiations and on the possibilities of achieving progress during those negotiations. We must not forget, however, that final agreement on general and complete disarmament can only be reached if all the militarily-significant States, and first and foremost all the nuclear Powers, take part in the negotiations.

83. During this session considerable attention has also been given to a number of other disarmament problems, on some of which we should like to express our views. One is the question of a comprehensive nuclear test ban—in other words, essentially, the prohibition of underground tests.

84. The Soviet Union has always advocated the reaching of agreement on prohibition of the underground testing of nuclear weapons. Members of the Committee are well aware of our position that such a prohibition could be achieved on the basis of the use of national means of detection for verifying the fulfilment by the parties of their obligations. What is required for a positive solution of the problem of banning all nuclear tests is first of all the adoption of the necessary political decisions. In that connexion one must needs be wary of certain attempts to direct the Committee's work towards various types of technical investigations and research about the problem of a nuclear test ban and not towards a solution of the problem. The Soviet delegation has more than once expressed its readiness for some constructive compromise proposals in the interests of early agreement on an underground nuclear test ban. But we should not like anyone to interpret our position as meaning that we shall agree to being diverted from the substance of the problem into the field of fruitless technical investigations designed only to delay as long as possible the cessation of underground nuclear tests.

85. Among other measures discussed at the present session of the Committee was the question of the use of radiological means and lasers for military purposes. Various opinions have been expressed in the Committee on the state of their technology and practical applicability, and seem to us reasonable from the point of view of the present development of science and technology. But we should like to point out that, before a decision is taken on whether the Committee should regard the question of these means as finally settled, it should await further scientific and technical progress, since we may encounter some unforeseen developments in this field.

86. In our opinion, the work done by the Committee at this session and indeed since the beginning of the year provides a constructive basis for a thorough consideration of the problem of disarmament at the twenty-fifth anniversary session of the United Nations General Assembly. We are convinced that that jubilee session will devote all the necessary attention to these problems,

and that during the discussion in the General Assembly considerations will be advanced which in their turn can be examined in this Committee. The Soviet delegation hopes that in the Committee's future work tangible and concrete results will be obtained in the solution of the problems before it.

87. In conclusion, we should like to wish the members of the Committee success in the search for mutually-acceptable solutions in the field of disarmament measures, since this would meet the aspirations of all peoples and lead to the strengthening of peace and security. We should also like to express our satisfaction and gratitude to the Secretariat, to the Deputy Special Representative of the Secretary-General and his colleagues for their good organization and support of the Committee's activities.

88. Since I have the floor, I should like to associate our delegation with the words of farewell and good wishes addressed to Ambassador Husain, who is leaving his post as representative of India in the Committee on Disarmament. We express to him our warm sympathy and our regret that we are losing a colleague of such distinction, who has always exercised a great constructive influence in the creation of the favourable atmosphere in which our negotiations have proceeded. Whenever our points of view did not coincide on the problems examined in the Committee, Ambassador Husain invariably presented his with the utmost clarity, while showing full understanding for the position of the other side. We wish Ambassador Husain the best of good fortune in his new work, and ask him to convey our warm regards to Mrs. Husain.

Report of the Conference of the Committee on Disarmament to the General Assembly and the Disarmament Commission, September 3, 1970¹

The Conference of the Committee on Disarmament submits to the United Nations General Assembly and to the United Nations Disarmament Commission a progress report on the Committee's deliberations on all questions before it for the period 17 February 1970 to 3 September 1970, together with the pertinent documents and records.

Included in this report is a detailed account of the negotiations, to which the Committee devoted an important part of its work during 1970, regarding a draft Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Seabed and the Ocean Floor and in the Subsoil Thereof. The text of the final draft of the Treaty is contained in Annex A.²

¹CCD/317, Sept. 3, 1970. Also distributed as A/8059 and DC/233, Sept. 11, 1970. The annexes are not printed here.

²*Ante*, pp. 475-479.

This report also includes accounts of the Committee's work during 1970 on the question of a treaty banning underground nuclear weapon tests, the question of chemical and bacteriological (biological) weapons, the question of general and complete disarmament and other questions.

I. ORGANIZATION OF THE CONFERENCE

A. *Procedural Arrangements*

The Conference reconvened on 17 February 1970.

Two sessions were held, the first from 17 February to 30 April 1970 and the second from 16 June to 3 September 1970. During this period the Committee held 46 formal plenary meetings during which members set forth their governments' views and recommendations for progress on the questions before the Committee. The Committee also held 5 informal plenary meetings without records.

In addition to the plenary meetings described above, members of the Committee met frequently for informal multi-lateral consultations on disarmament questions of common interest.

The representatives of the Union of Soviet Socialist Republics and the United States of America, in their capacity as Co-Chairmen of the Committee, also held meetings to discuss procedural and substantive questions before the Committee.

B. *Participants in the Conference*

Representatives of the following States continued their participation in the work of the Committee: Argentina, Brazil, Bulgaria, Burma, Canada, Czechoslovakia, Ethiopia, Hungary, India, Italy, Japan, Mexico, Mongolia, Morocco, Netherlands, Nigeria, Pakistan, Poland, Romania, Sweden, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom, United States of America and Yugoslavia.

II. WORK OF THE COMMITTEE DURING 1970

In a letter dated 30 January 1970, the Secretary-General of the United Nations transmitted to the CCD the following resolutions adopted at the 24th Session of the General Assembly:

A/RES/2602 (XXIV)– Question of general and complete disarmament³

A/RES/2603 (XXIV)– Question of chemical and bacteriological (biological) weapons⁴

A/RES/2604 (XXIV)– Urgent need for suspension of nuclear and thermonuclear tests⁵

and also the following resolutions which dealt with disarmament matters:

³ *Documents on Disarmament*, 1969, pp. 710-715.

⁴ *Ibid.*, pp. 716-719.

⁵ *Ibid.*, pp. 719-722.

A/RES/2499/Rev.1 (XXIV)—Celebration of the twenty-fifth anniversary of the United Nations⁶

A/RES/2605 (XXIV)—Conference of Non-Nuclear-Weapon States⁷

Members of the Committee were assisted in their examination and analysis of possible disarmament measures by numerous messages, working papers, and other documents that were submitted to the CCD (Annex B and C), and by the plenary statements of Committee members (Annex D).

The Secretary-General of the United Nations addressed the Conference on 18 February 1970 and called attention to the resolutions adopted by the General Assembly at its twenty-fourth session, the urgent tasks it had entrusted to the Conference and the important role of the Conference in achieving agreement on disarmament measures.

In accordance with its provisional agenda, the Committee continued work on the following measures in the field of disarmament:

A. Further effective measures relating to the cessation of the nuclear arms race at an early date and to nuclear disarmament.

B. Non-nuclear measures.

C. Other collateral measures.

D. General and complete disarmament under strict and effective international control.

A. Further effective measures relating to the cessation of the nuclear arms race at an early date and to nuclear disarmament

Special Report on the Question of a Treaty Banning
Underground Nuclear Weapon Tests

Having in mind the recommendations of General Assembly Resolution 2604B, members of the Committee continued to work on the question of a treaty banning underground nuclear weapon tests.

The great importance of this measure was recognized by members of the Committee in their opening plenary statements.

The delegation of the United Kingdom submitted a working paper (CCD/296) on verification of a comprehensive test ban treaty aimed at determining what detection and identification capability could be achieved in support of a comprehensive test ban treaty given the present state of the art in seismology.⁸

The United States delegation submitted a working paper (CCD/298) on data from the underground nuclear explosion for

⁶General Assembly Official Records: Twenty-fourth Session, Supplement No. 30 (A/7630), pp. 1-3.

⁷Documents on Disarmament, 1969, pp. 723-727.

⁸Ante, pp. 342-347.

peaceful purposes (Project RULISON) which was utilized collaterally for seismic investigation purposes.⁹

The Secretary-General circulated to members of the CCD responses to his request, pursuant to General Assembly resolution 2604A, concerning the provision of certain information in the context of a proposal for the creation of a world-wide exchange of seismological data which would facilitate the achievement of a comprehensive test ban.

On 12 August 1970, at the request of the Canadian delegation, the Committee held an informal meeting on the cessation of testing.

The delegation of Canada submitted a working paper (CCD/305) on 10 August 1970 which assessed the responses circulated to Committee members by the Secretary-General and analyzed seismological capabilities for detecting and identifying underground nuclear explosions.¹⁰

On 12 August, 1970 the delegation of Sweden presented a working paper (CCD/306) on a comparison of two systems for verification of a comprehensive test ban.¹¹

The delegation of Sweden expressed the belief that while SALT negotiations continue, the CCD should proceed with preparatory work towards a ban on underground testing of nuclear weapons, noting the advisability of underpinning, through such a ban, arms limitation measures that might be achieved through SALT (CCD/PV.487).¹²

The United States delegation made clear (CCD/PV.449) its continued support for a comprehensive ban on the testing of nuclear weapons, adequately verified, including provisions for on-site inspection, and reaffirmed its desire to contribute to international cooperation in the improvement of seismic detection and identification capabilities.¹³

The Soviet delegation emphasized (CCD/PV.494) the importance of a political decision regarding this measure and pointed out that the Soviet position is based on the belief that the use of national means of detection for the purpose of control over the prohibition of underground nuclear testing is adequate.¹⁴

Other Measures

Many members of the Committee welcomed the entry into force of the Treaty on the Non-Proliferation of Nuclear Weapons on 5 March, 1970,¹⁵ and expressed the hope that additional countries would adhere to this Treaty. The Representatives of the Union of Soviet Socialist Republics, the United Kingdom and the

⁹ *Ante*, pp. 351-352.

¹⁰ *Ante*, pp. 390-393.

¹¹ *Ante*, pp. 404-406.

¹² *Ante*, pp. 109-120.

¹³ *Ante*, pp. 11-12.

¹⁴ *Ante*, p. 499.

¹⁵ *Documents on Disarmament*, 1968, pp. 461-465.

United States of America submitted as CCD working papers the statements made by the heads of their respective governments at the ceremonies marking the entry into force of this treaty (CCD/279/Rev.1, CCD/280, and CCD/281).¹⁶ A statement by the Secretary-General of the United Nations was also submitted (CCD/282).¹⁷

On 10 March 1970 the delegation of Yugoslavia submitted as a working paper (CCD/278) the declaration made by its government in connexion with the ratification of the Non-Proliferation Treaty.¹⁸

A number of delegations stressed the importance of full implementation of the provisions of the Non-Proliferation Treaty, in particular Article VI concerning further negotiations on effective measures relating to cessation of the nuclear arms race and to nuclear disarmament. Delegations noted the importance of the bilateral discussions between the governments of the Union of Soviet Socialist Republics and the United States of America on the limitation of offensive strategic nuclear weapons delivery systems and systems of defence against ballistic missiles. The delegations of Sweden and Mexico suggested that the CCD should consider the nature and contents of a special international agreement or agreements to be concluded pursuant to the provisions of Article V of the NPT (CCD/PV.450 and 487).¹⁹

Having in mind General Assembly resolution 2602C, which invited the CCD to consider effective methods of control against the use of radiological methods of warfare conducted independently of nuclear explosions and the need for effective methods of control of nuclear weapons that maximize radioactive effects, the Netherlands delegation submitted a working paper (CCD/291) on this subject on 14 July 1970.²⁰ This paper concluded on the basis of available information that possibilities of radiological warfare do exist theoretically, but do not seem to be of much or even of any practical significance; therefore, it is difficult to see the practical usefulness of discussing measures related to radiological warfare.

B. *Non-Nuclear Measures*

Question of Chemical and Bacteriological (Biological) Weapons

Members of the Committee continued their work with a view to achieving progress on all aspects of the problem of the elimination of chemical and bacteriological (biological) weapons. They took into consideration General Assembly resolution 2603 B, which

¹⁶ *Ante*, pp. 80-81, 82-83, 78-80.

¹⁷ Not printed here.

¹⁸ Not printed here.

¹⁹ The Swedish statement of Aug. 13 appears *ante*, pp. 409-420. The other statements are not printed here.

²⁰ *Ante*, pp. 308-309.

requested the CCD to give urgent consideration to reaching agreement on the prohibitions and other measures referred to in the draft Convention on the Prohibition of the Development, Production and Stockpiling of Chemical and Bacteriological (Biological) Weapons and on the Destruction of such Weapons submitted to the General Assembly by the delegations of Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Mongolia, Poland, Romania, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics,²¹ the draft convention for the Prohibition of Biological Methods of Warfare submitted to the CCD by the United Kingdom of Great Britain and Northern Ireland,²² as well as other proposals.

In addition to plenary meetings, informal meetings on this question were held on 22 April, at the request of the delegation of Sweden, and on 5 August 1970, at the request of the delegations of Argentina, Canada, Italy, Japan, the Netherlands, Pakistan and Sweden.

The following amendments to the two conventions mentioned above were proposed to the CCD:

The delegations of Hungary, Mongolia and Poland suggested amendments (CCD/285) to the Socialist delegations' draft convention providing for complaints of possible violations of its prohibitions to be reported to the United Nations Security Council which would undertake necessary measures to investigate complaints, and submitted a draft Security Council resolution.²³

The United States delegation proposed (CCD/290) that toxins be added to the agents covered by the prohibitions of the UK Convention.²⁴

The delegation of the United Kingdom subsequently introduced a revised text of its draft Convention and accompanying draft Security Council Resolution (CCD/255/Rev.2)²⁵ which took into account the proposal of the United States and a suggestion (CCD/PV.458) made by the Netherlands delegation²⁶ together with minor drafting amendments.

The following proposals were also presented to the Committee:

The Delegation of Yugoslavia proposed that all countries consider the possibility of placing, by law, all institutions engaged in chemical and biological weapons research, development and production under civilian administration (CCD/PV.456).²⁷

The delegation of Japan suggested (CCD/PV.456) a complaints procedure and an arrangement for investigation by the UN Secretary-General with the co-operation of international ex-

²¹ *Documents on Disarmament*, 1969, pp. 455-457.

²² *Ibid.*, pp. 431 ff.

²³ *Ante*, p. 140.

²⁴ *Ante*, pp. 272-273.

²⁵ *Ante*, pp. 428-432.

²⁶ See *ante*, pp. 93-100.

²⁷ Not printed here.

perts.²⁸ For chemical weapons verification, it proposed procedures based on possible check points in the production cycle (CCD/288)²⁹ and on statistical reporting and a possible technical method of on-site inspection (CCD/301).³⁰

The Swedish delegation suggested (CCD/PV.463) an international verification system for the prohibition of C and B weapon production based on open information with obligatory reporting regarding C and B agents to international agencies and verification by challenge.³¹

The delegation of Mongolia proposed that special government agencies might be established to enforce compliance with prohibitions on C and B weapons in a manner similar to that in the 1961 Single Convention on Narcotic Drugs,³² and suggested adding to the socialist draft convention a provision regarding a review conference (CCD/PV.464).³³

The delegation of Morocco suggested in a working paper (CCD/295) that C and B weapons should be jointly prohibited and their destruction provided for by one instrument; verification procedures for B weapons would be defined in this instrument and B weapons would be totally eliminated on its entry into force; this instrument would define the manner and time limit for negotiation of a supplementary document on verification procedures for C weapons which would put into effect the prohibition on these weapons.³⁴

The Yugoslav delegation presented a working paper (CCD/302) elaborating a control system combining national legislative measures of renunciation and self-control, and measures of international control supplemented by a procedure in case of suspicion of violation.³⁵

In addition, the following steps were recommended:

The Japanese delegation proposed (CCD/PV.456) that a group of experts study technical aspects of verification for the prohibition of C and B weapons.³⁶

The Italian delegation presented a working paper (CCD/289) containing suggestions on the possible convening of a group of experts to study the problems of controls over chemical weapons and the way in which such a group would function.³⁷ It also introduced an additional working paper (CCD/304) raising a certain number of technical questions.³⁸

²⁸ Not printed here.

²⁹ Not printed here.

³⁰ *Ante*, pp. 379-382.

³¹ *Ante*, pp. 132-140.

³² 18 UST 1407.

³³ The Mongolian statement is not printed here.

³⁴ *Ante*, pp. 341-342.

³⁵ *Ante*, pp. 382-385.

³⁶ Not printed here.

³⁷ *Ante*, pp. 270-272.

³⁸ *Ante*, pp. 388-390.

The United States delegation presented working papers on the relationship between the production of chemical agents for war and the production of chemicals for peaceful purposes by the commercial chemical industry (CCD/283);³⁹ on toxins (CCD/286);⁴⁰ on the problem of differentiating through off-site observation nerve agent production facilities from civilian chemical production facilities (CCD/293),⁴¹ and on economic data monitoring as a means of verifying compliance with a ban on chemical weapons (CCD/311).⁴²

The delegation of Canada submitted (CCD/300) an analysis of various proposals regarding verification of prohibitions on the development, production, stockpiling and the use of C and B weapons and a number of questions concerning additional information on national policy and controls, the production and stockpiling of chemicals, and research and development.⁴³

The delegation of Czechoslovakia presented a working paper (CCD/299) on the prohibition of the development, production, and stockpiling of C and B weapons and on their destruction, which concluded that national self-inspection and supervision seem to be the most suitable fundamental method of verification.⁴⁴

The delegation of the Soviet Union submitted a working paper (CCD/303) on the complete prohibition of C and B weapons which emphasized the necessity of a full prohibition of C and B weapons, the danger of approaching separately the prohibition of C and B means of warfare, and the practical advisability of the use of national means of control over the prohibition of these weapons with appropriate procedures for submitting complaints to the Security Council in cases of violation of the agreement.⁴⁵

A working paper examining certain of the problems involved in meeting the verification requirements for an acceptable CW agreement was submitted by the United Kingdom delegation (CCD/308).⁴⁶

At the conclusion of the 1970 session the delegations of Argentina, Brazil, Burma, Ethiopia, India, Mexico, Morocco, Nigeria, Pakistan, Sweden, United Arab Republic and Yugoslavia presented a joint memorandum (CCD/310) on the question of C and B methods of warfare. This memorandum expressed the consensus of these delegations that it is essential that both chemical and bacteriological (biological) weapons should continue to be dealt with together in taking steps towards the prohibition of their development, production and stockpiling and their

³⁹ *Ante*, pp. 91-93.

⁴⁰ *Ante*, pp. 168-170.

⁴¹ *Ante*, pp. 323-326.

⁴² *Ante*, pp. 455-459.

⁴³ *Ante*, pp. 375-379.

⁴⁴ *Ante*, pp. 372-374.

⁴⁵ *Ante*, pp. 385-388.

⁴⁶ *Ante*, pp. 432-436.

effective elimination from the arsenals of all States, and that the issue of verification is important in this field, as indeed adequate verification is also essential in regard to the success of any measure in the field of disarmament. It also expressed the hope that the basic approach outlined in this paper would receive general acceptance so that an early solution could be found in regard to the prohibition of the production, development and stockpiling of such weapons and their effective elimination from the arsenals of all States.⁴⁷

The delegation of the United States emphasized the inherent differences between chemical and biological weapons from the standpoint of arms limitations, underlined advantages of reaching early agreement to the greatest extent possible, and urged that there should be immediate negotiation of a convention along the lines of that proposed by the United Kingdom prohibiting production and stockpiling of all biological weapons and toxins, while study proceeds on the problems which must be resolved in order to make progress towards further prohibitions regarding chemical weapons (CCD/PV.491).⁴⁸

The delegation of the United Arab Republic submitted a working paper concerning suggestions on measures of verification of a ban on chemical and biological weapons (CCD/314).⁴⁹

The delegations of Hungary, Mongolia and Poland submitted a working document concerning the introduction of a safeguard clause—CCD/285⁵⁰—to the draft convention prohibiting the development, production and stockpiling of chemical and bacteriological (biological) weapons and on the destruction of such weapons (Doc.A/7655)⁵¹ made by Mr. J. Winiewicz, Deputy Minister for Foreign Affairs of the Polish People's Republic at the 464th plenary meeting of the Conference of the Committee on Disarmament (CCD/315).⁵²

The USSR delegation emphasized the necessity of an urgent prohibition both of bacteriological (biological) and chemical weapons. The Soviet delegation pointed out the strict logic and soundness of the approach to this problem of those delegations which urge that these types of weapons be prohibited together. (CCD/PV.493).⁵³

A number of delegations made statements regarding their governments' unilateral renunciations of one or both of these weapons and comments were made by Committee members with regard to these statements. Several delegations emphasized that unilateral renunciations should not be regarded as a solution of the

⁴⁷ *Ante*, pp. 453-455.

⁴⁸ *Ante*, pp. 465-474.

⁴⁹ *Ante*, pp. 474-475.

⁵⁰ *Ante*, p. 140.

⁵¹ *Documents on Disarmament, 1969*, pp. 455-457.

⁵² *Ante*, pp. 141-150.

⁵³ *Ante*, pp. 489-496.

problem of prohibiting chemical and bacteriological (biological) weapons.

Members of the Committee believe that the time and effort they devoted to this question contributed to a better understanding of the views and concerns of all participants, and to a deeper knowledge of the problems involved.

The Conference of the Committee on Disarmament, convinced of the need to give urgent consideration to the question of chemical and bacteriological (biological) weapons, intends to continue intensive work in this field with the aim of reaching agreement on the prohibitions and other measures referred to in General Assembly Resolution 2603B and other relevant proposals.

Many members of the Committee welcomed the statements by the delegations of Brazil, Japan and Morocco concerning ratification of the 1925 Geneva Protocol,⁵⁴ and expressed the hope that additional countries would adhere to this instrument in the near future. The delegations of Mexico, Sweden, Mongolia, India, UAR, and Yugoslavia (CCD/PV.449,⁵⁵ 480,⁵⁶ 489,⁵⁷ 490⁵⁸) emphasized the importance of General Assembly Resolution 2603A (XXIV) regarding the Geneva Protocol of 1925.⁵⁹

The delegations of Mongolia and Hungary emphasized (CCD/PV.455, 456) the importance of implementing UNGA Res 2603B inviting all States which have not yet done so to accede to or ratify the Geneva Protocol in the course of 1970 in commemoration of the 45th Anniversary of its signing and the 25th Anniversary of the United Nations.⁶⁰

The Italian Delegation reaffirmed (CCD/PV.453, 474) its view that parties to the Geneva Protocol of 1925 should withdraw the reservation that the Protocol is only binding as regards states which have signed and ratified the Protocol.⁶¹ The Delegation of Japan expressed the hope that those states which have attached reservations to the 1925 Geneva Protocol would withdraw their reservations as early as possible (CCD/PV.471).⁶² Several delegations emphasized that reservations to the 1925 Geneva Protocol have played an important positive role in gaining wide adherence to the Protocol and in preventing the use of chemical and biological weapons in the Second World War.

Other Measures

Certain delegations expressed in plenary statements different

⁵⁴ *Documents on Disarmament, 1969*, pp. 764-765.

⁵⁵ CCD/PV.449, pp. 26-27.

⁵⁶ *Ante*, pp. 333-338.

⁵⁷ CCD/PV.489, pp. 5-20.

⁵⁸ CCD/PV.490, pp. 13-21.

⁵⁹ *Documents on Disarmament, 1969*, pp. 716-717.

⁶⁰ The Mongolian and Hungarian statements are not printed here.

⁶¹ CCD/PV.453, p. 12; *ante*, pp. 273-276.

⁶² *Ante*, pp. 238-241.

views regarding the question of conventional armaments. A working paper (CCD/307) on possible principles that might assist in the development of approaches to this subject was submitted by the United States delegation.⁶³

C. *Other Collateral Measures*

Draft Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Seabed and the Ocean Floor and in the Subsoil Thereof.

Having in mind the recommendations of General Assembly Resolution 2602F (XXIV), the Conference of the Committee on Disarmament continued its work on the draft treaty on the Prohibition of the Emplacement of Nuclear Weapons and other Weapons of Mass Destruction on the Seabed and the Ocean Floor and in the Subsoil Thereof.⁶⁴

When addressing the CCD at the beginning of its 1970 session, the Secretary-General of the United Nations expressed the view that the elaboration and submission to the General Assembly of an agreed draft treaty on this subject would constitute an important step in preventing the danger of the spread of the nuclear arms race to a vast area of our planet (CCD/PV.450).⁶⁵

In commenting on this question in their opening statements, many members of the Committee expressed the view that certain amendments and more precise language should be incorporated in the draft treaty which was reported to the twenty-fourth General Assembly. After careful consideration of the views of Committee members and all the proposals and suggestions made at the General Assembly, the representatives of the Soviet Union and the United States tabled a second revised joint draft treaty on 23 April 1970 (CCD/269/Rev.2).⁶⁶

Articles I and II of this draft contained new language designed to reconcile a number of suggestions about how the area covered by the treaty should be defined. The new draft of these articles took into account points raised at various times by the delegations of Argentina, Ethiopia, India, Morocco, Nigeria, Pakistan and the United Arab Republic; the text was essentially that proposed by the delegation of Argentina in working paper A/C.1/997.⁶⁷

The amended text of Article III represented a synthesis of the views and positions of many countries regarding the verification provisions of the treaty, largely as these were reflected in working paper A/C.1/992 submitted by the delegation of Canada.⁶⁸ With respect to Article III, statements were made by the delegations of the Soviet Union and the United States regarding the right of

⁶³ *Ante*, pp. 406-408.

⁶⁴ *Documents on Disarmament*, 1969, p. 715.

⁶⁵ Not printed here.

⁶⁶ *Ante*, pp. 185-188.

⁶⁷ *Documents on Disarmament*, 1969, p. 704.

⁶⁸ *Ibid.*, pp. 596-597.

States Parties to apply directly to the Security Council in accordance with the Charter of the United Nations (CCD/PV.467 and 492).⁶⁹

In response to proposals of Argentina, India, Morocco, Pakistan and the United Arab Republic the disclaimer provision was broadened and was given the status of a separate article IV as it appeared in the working paper of Argentina (A/C.1/997).

In response to a proposal by the delegation of Mexico in a working paper (A/C.1/995),⁷⁰ an amendment making clear that the treaty would in no way affect the obligations of parties under international instruments establishing zones free from nuclear weapons was incorporated in the new draft as Article VIII.

A number of minor editorial changes suggested by various delegations at the General Assembly and in the CCD were also included.

During subsequent discussions, a number of delegations expressed their complete satisfaction with the second revised draft of the treaty. A number of other delegations suggested that the treaty might still be improved and its provisions further clarified through certain additional amendments.

On 18 June 1970 the Polish delegation proposed that the question of the prevention of an arms race on the seabed remain on the agenda of the Committee (CCD/PV.471).⁷¹ General support was expressed for this proposal.

On 25 June 1970 the delegation of Brazil suggested a number of amendments regarding the verification provisions of Article III (CCD/PV.473).⁷² On 3 July 1970 the delegation of Argentina proposed changes in paragraphs 1, 2, 3 and 6 of Article III regarding verification activities (CCD/PV.475/Add.1).⁷³

On 7 July 1970 the delegation of the United Arab Republic suggested that Article VIII should be expanded to include other agreements on disarmament and in particular the NPT (CCD/PV.476).⁷⁴ Statements by the delegations of the Soviet Union and the United States made clear that the treaty does not affect obligations assumed under other arms control treaties, including the Non-Proliferation Treaty⁷⁵ and the Partial Test Ban Treaty⁷⁶ (CCD/PV.492).⁷⁷ On 21 July 1970 the delegation of Mexico proposed that a second paragraph be added to Article VIII of the draft treaty (CCD/294).⁷⁸ On 30 July 1970 two further amendments to Article III and a new Article V were recommended

⁶⁹ *Ante*, pp. 182-183, 481-483.

⁷⁰ Not printed here.

⁷¹ Not printed here.

⁷² Not printed here.

⁷³ *Ante*, pp. 283-289.

⁷⁴ Not printed here.

⁷⁵ *Documents on Disarmament, 1968*, pp. 461-465.

⁷⁶ *Ibid.*, 1963, pp. 291-293.

⁷⁷ *Ante*, pp. 483, 438.

⁷⁸ *Ante*, pp. 331-333.

in a Working Paper (CCD/297) submitted by the delegations of Burma, Ethiopia, Mexico, Morocco, Nigeria, Pakistan, Sweden, the United Arab Republic and Yugoslavia.⁷⁹

The substance of the amendments contained in the latter paper and suggestions put forward in plenary statements and in consultations with many delegations were incorporated in a third revised draft of the treaty. The representatives of the Soviet Union and the United States consulted extensively with all members of the Committee concerning the precise formulation of the text of this draft which was tabled on 1 September 1970.⁸⁰ On this occasion the delegations of the Soviet Union and the United States made statements with explanations of the provisions of the revised draft treaty. A number of delegations took note of these statements. The Argentine and Brazilian delegations made interpretative declarations in this respect (CCD/PV.492, 494).⁸¹

Delegations expressed satisfaction with the general consensus achieved and the spirit of compromise which resulted in the inclusion in this draft of amendments responsive to their suggestions. Hope was widely expressed that the draft treaty would be commended by the General Assembly and opened for signature at an early date.

The text of the final draft of the treaty discussed above is contained in Annex A.

Other Measures

The representatives of Bulgaria, Czechoslovakia, Hungary, Poland, Romania and the Union of Soviet Socialist Republics made statements concerning the problem of European security.

General Assembly resolution 2602D recommended that the CCD give consideration to the military implications of laser technology.⁸² An examination of this question, contained in a working paper (CCD/292) submitted by the Netherlands delegation, concluded that the highly speculative character of the conceivable military applications of laser technology for weapons purposes did not seem to substantiate the need for arms control consideration at this time, although further developments in this field should be followed attentively.⁸³

D. General and Complete Disarmament

During its 1970 sessions the Conference of the Committee on Disarmament gave detailed attention to the recommendation of General Assembly resolution 2602E.⁸⁴ The possibilities of preparing a generally acceptable programme dealing with all

⁷⁹ *Ante*, pp. 349-350.

⁸⁰ *Ante*, pp. 475-479.

⁸¹ Not printed here.

⁸² *Documents on Disarmament*, 1969, pp. 712-713.

⁸³ *Ante*, pp. 309-312.

⁸⁴ *Documents on Disarmament*, 1969, pp. 713-715.

aspects of the problem of the cessation of the arms race and general and complete disarmament under effective international control were carefully studied in considering this question. Members of the Committee were particularly aware of the need to encourage activities directed toward systematic progress in solving the complex problems of disarmament.

During the discussions of this question, all members of the Committee stated their positions on the issues involved. The discussion took into account General Assembly resolutions 1378 (XIV),⁸⁵ 1722 (XVI),⁸⁶ and 2602 (XXIV), the agreed principles for disarmament negotiations contained in the 1961 Joint Statement of the Soviet Union and the United States⁸⁷ which was approved by the XVIth session of the UNGA, the Committee agenda adopted in 1968,⁸⁸ and treaties and agreements on disarmament questions already in force, which in the opinion of Committee members should serve as a point of departure for continued negotiations on the question of general and complete disarmament.

In the course of considering this matter, members of the Committee stated their positions on:

- The interdependence of disarmament problems and questions of international peace and security;
- The relationship of partial disarmament measures to general and complete disarmament;
- The priority of nuclear disarmament, and disarmament regarding other weapons of mass destruction;
- The need to give due consideration to maintaining a balance among various measures to prevent armament, to limit armament, and of disarmament;
- The need to assure that no state or group of states gains military advantages at any stage of disarmament measures;
- The need to associate all militarily important states, in particular all nuclear weapon powers, with the process of disarmament in order to achieve a full measure of success in the efforts to contain the nuclear arms race and to reduce and eliminate all armaments;
- The importance of full implementation of and wide adherence to treaties and agreements already in force in the field of disarmament;
- The role of political and technical factors in determining appropriate methods for effectively verifying disarmament measures;
- The need for flexibility;
- The importance of converting resources released by disarmament to peaceful uses;

⁸⁵ *Ibid.*, 1945-1959, vol. II, p. 1545.

⁸⁶ *Ibid.*, 1961, pp. 741-742.

⁸⁷ *Ibid.*, pp. 439-442.

⁸⁸ *Ibid.*, 1968, pp. 583-584.

- The role of regional disarmament measures;
- The need to intensify efforts in the field of disarmament in general.

Many delegations stressed the urgent necessity of resuming work on general and complete disarmament. A number of plenary statements were devoted exclusively to a review of the way in which the question of general and complete disarmament has been approached in the past and to proposals for further progress in this field. Many delegations devoted their statements to the elaboration of a comprehensive programme of disarmament referred to in General Assembly resolution 2602E. These included statements by the delegations of Canada (CCD/PV.481),⁸⁹ Czechoslovakia (CCD/PV.469 and 490),⁹⁰ Hungary (CCD/PV.489),⁹¹ India (CCD/PV.488),⁹² Italy (CCD/PV.453 and 475),⁹³ Japan (CCD/PV.489),⁹⁴ Mexico (CCD/PV.499 [491]),⁹⁵ Morocco (CCD/PV.491),⁹⁶ Netherlands (CCD/PV.478),⁹⁷ Pakistan (CCD/PV.490),⁹⁸ Poland (CCD/PV.483),⁹⁹ Romania (CCD/PV.455 and 485),¹ Sweden (CCD/PV.478),² USSR (CCD/PV.466, 486),³ USA (CCD/PV.472),⁴ and Yugoslavia (CCD/PV.478).⁵

On 9 July 1970, the Foreign Minister of Brazil, in addressing the CCD on this subject, suggested certain principles for disarmament negotiations, including the need to ensure that disarmament measures do not affect adversely economic, scientific and technological development, or prejudice or prejudice unresolved juridical and other questions in any outside field (CCD/PV.477).⁶

The following working papers and proposals were submitted on this subject:

The Netherlands delegation submitted an analysis (CCD/276) of steps toward a comprehensive disarmament program.⁷

The Mexican delegation stated its position in a working paper submitted on 5 March 1970 (CCD/277).⁸

⁸⁹ Not printed here.

⁹⁰ Not printed here.

⁹¹ Not printed here.

⁹² Not printed here.

⁹³ CCD/PV.453, pp. 6-10; *ante*, pp. 277-282.

⁹⁴ Not printed here.

⁹⁵ Not printed here.

⁹⁶ Not printed here.

⁹⁷ Not printed here.

⁹⁸ Not printed here.

⁹⁹ Not printed here.

¹ Not printed here.

² Not printed here.

³ CCD/PV.466, pp. 13-20, *ante*, pp. 393-400.

⁴ *Ante*, pp. 248-256.

⁵ Not printed here.

⁶ Not printed here.

⁷ *Ante*, pp. 59-63.

⁸ Not printed here.

The Romanian delegation presented to the Committee proposals for further specific steps leading to disarmament (CCD/PV.455) including a proposal aiming at the establishment of a nuclear free zone in the Balkans.⁹ In a subsequent statement (CCD/PV/485) the Romanian delegation elaborated its ideas on the contents of a programme for the Disarmament Decade.¹⁰

The delegation of Sweden presented a working paper (CCD/287) on ways in which verification has been dealt with in various arms control and disarmament treaties and proposals.¹¹

The delegation of India suggested that the Joint Statement of Agreed Principles for Disarmament Negotiations (ENDC/5) could be elaborated into a comprehensive programme of disarmament,¹² taking into account the various comments and suggestions which had been put forward in the Committee (CCD/PV 488).¹³

The delegation of Italy submitted a working paper (CCD/309) which recalled the report it had made following an exchange of views with a number of delegations regarding a possible approach to a comprehensive programme of disarmament, its goal, principles and mandates, main elements and related general considerations (CCD/PV.475).¹⁴ In the same working paper the delegation of Italy submitted proposals on initiating programmes of studies relating to the question of the reduction of armed forces and conventional disarmament, in the framework of a comprehensive programme of disarmament, and on an undertaking to begin negotiations of these reductions.

On 27 August 1970, the delegations of Mexico, Sweden and Yugoslavia submitted a draft comprehensive programme of disarmament (CCD/313), which contains principles and proposals as to elements and phases of the programme and procedures for its implementation, and states that the aim of this comprehensive programme is to achieve tangible progress in order that the goal of general and complete disarmament under effective international control may become a reality in a world in which international peace and security prevail, and economic and social progress are attained.¹⁵

Members of the Committee believe that the wide discussion of these problems which took place in the CCD during 1970 will contribute to progress in this field.

Since the questions related to general and complete disarmament are matters of great importance and complexity and in view of the fact that in the course of its discussions a number of concrete considerations and proposals were put forward which

⁹ Not printed here.

¹⁰ Not printed here.

¹¹ Not printed here.

¹² *Documents on Disarmament, 1961*, pp. 439-442.

¹³ Not printed here.

¹⁴ *Ante*, pp. 277-282, 440-445.

¹⁵ *Ante*, pp. 459-465.

merit broad and thorough study by governments and further discussion in the Committee, the CCD intends to continue its discussions of general and complete disarmament during 1971.

The Committee agreed to reconvene on a day to be established by the Co-Chairmen in consultation with all members of the Committee.

This report is transmitted by the Co-Chairmen on behalf of the Conference of the Committee on Disarmament.

(Signed) A. A. Roshchin
Union of Soviet Socialist Republics

(Signed) James F. Leonard
United States of America

Statement by Assistant Secretary of State Meyer to the Senate Foreign Relations Committee: Additional Protocol II to the Tlatelolco Treaty, September 22, 1970¹

I appreciate this opportunity to appear before you this morning on behalf of the Department of State to support ratification of Additional Protocol II to the Treaty for the Prohibition of Nuclear Weapons in Latin America.² Following my statement, Ambassador Leonard of the Arms Control and Disarmament Agency, which has played a leading role in our Government's consideration of this treaty, will review with you the specific undertakings in Additional Protocol II and the purpose and contents of the formal statement that we propose be included in the instrument of ratification.³

While there had been a few earlier indications of interest in the subject, the first formal proposal to create a Latin American zone that would be kept free of nuclear weapons was a resolution submitted by Brazil to the First Committee of the United Nations General Assembly on November 3 [October 29], 1962.⁴ This was only a few days after the Cuban missile crisis, which made the specter of a nuclear confrontation in the Western Hemisphere appear to be a serious possibility.

On April 29, 1963, the Presidents of Bolivia, Brazil, Chile, Ecuador, and Mexico issued a joint declaration announcing that their governments would be prepared to sign a multilateral Latin American agreement not to manufacture, receive, store or test nuclear weapons.⁵

¹ *Additional Protocol II to the Latin American Nuclear Free Zone Treaty: Hearings Before the Committee on Foreign Relations, United States Senate, Ninety-first Congress, Second Session, and Ninety-second Congress, First Session, on Executive H, 91st Congress, 2d Session*, pp. 2-5.

² *Documents on Disarmament*, 1967, pp. 69-83.

³ For Ambassador Leonard's statement, see *infra*. The proposed formal statement appears *ante*, pp. 317-318.

⁴ For the draft resolution of Oct. 29, 1962, see *General Assembly Official Records: Seventeenth Session, Annexes, Agenda Item 90*, pp. 12-13. A revised version of the resolution may be found in *Documents on Disarmament*, 1962, vol. II, pp. 1056-1057.

⁵ *Ibid.*, 1963, pp. 182-183.

The following month 11 Latin American countries sponsored a resolution in the General Assembly expressing the hope that preparation for such a treaty would be started and calling upon all nations—"especially [*particularly*] the nuclear powers"—to cooperate. This resolution was adopted by a vote of 91 to 0, with 15 abstentions.⁶ The United States voted for it, stating that such a zone could be "a most constructive contribution to the cause of peace."⁷

Thereafter, under strong Mexican leadership, a preparatory commission was established which worked out the treaty and its protocols in the period 1965-67. The United States submitted written comments on the draft treaty⁸ and sent an observer to all but the first of the sessions of the Commission. The treaty was opened for signature on February 14, 1967. It has received broad international acclaim and has entered into force for the 16 Latin American States shown in red on the map to your right.⁹ It has at least been signed by the six other states depicted by slanted red lines.¹⁰ Thus it has been signed by all the independent States in Latin America except Cuba (whose present Government has indicated it will not sign) and Guyana (whose eligibility to sign is in dispute). It is in full force and effect in a region having an area of over 2½ million square miles and a population well over 100 million.

The treaty itself was not open for signature by states outside Latin America. But the two protocols to the treaty were designed for adherence by states outside the region:

Additional Protocol I was designed to enable such states which had territories within Latin America to subject such territories to the provisions of the treaty.¹¹ It has been signed and ratified by the United Kingdom (thus subjecting British Honduras and the islands indicated in blue on the map¹² to the treaty's restrictions) and signed by the Netherlands with respect to Surinam and the Netherlands Antilles. It has not been signed by the United States or France, which are the only other states eligible to sign it.

Additional Protocol II, which is the instrument now before the committee, is designed for adherence by nuclear weapon states. It contains undertakings to respect the aims and provisions of the treaty, not to contribute to its violation, and not to use or threaten to use nuclear weapons against the Latin American States for which the treaty is in force. This protocol has been signed and

⁶ *Ibid.*, pp. 628-629.

⁷ *Ibid.*, pp. 582-583.

⁸ *Ibid.*, 1965, pp. 626-627; *ibid.*, 1966, pp. 622-628.

⁹ Barbados, Bolivia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Paraguay, Peru, Uruguay, and Venezuela.

¹⁰ Argentina, Brazil, Chile, Colombia, Panama, and Trinidad and Tobago.

¹¹ *Ibid.*, 1967, p. 82.

¹² Bahamas, British Virgin Islands, Cayman Islands, Falkland Islands, Montserrat, Turks, and Caicos Islands, Antigua, Dominica, Grenada, St. Christopher-Nevis-Anguilla, St. Lucia, and St. Vincent.

ratified by the United Kingdom and signed by the United States. It has not been signed by the Soviet Union, France, or the Chinese Communists.

I think these facts show that we are dealing with a major regional initiative by our Latin American neighbors, having substantially unanimous support in the region. I think they show that these neighbors want to keep the deployment of nuclear weapons out of the territories of the contracting parties, and are willing to give up any national options they might have to acquire such weapons in order to achieve that goal. And I think they show that it is of considerable importance to these countries that the United States support their goal by ratifying Additional Protocol II. As Assistant Secretary of State for Inter-American Affairs, I wish to emphasize that our ratification of this protocol is important to our maturing relationship with the countries of Latin America. These nations would not understand our failure to take this step.

But this is only one of the reasons that we are urging ratification of this protocol. The others relate to the value of the treaty as an arms control measure and its potential contribution to our security.

Ambassador Leonard will discuss in some detail its importance as an arms control measure. But I would at least like to point out that this was a spontaneous, regional initiative in the field; that it is a unique example of regional self-denial with respect to armaments, and that it has resulted in the first populated region in the world in which nuclear weapons and all nuclear weapons tests are prohibited.

We are convinced that the treaty—and thus the support we would give it by ratifying Additional Protocol II—is in our national security interests for at least two reasons:

First, it includes an undertaking by the Latin American parties to prevent the type of deployment of nuclear weapons in their territory that occurred in the Cuban missile crisis, and provides for verification of compliance with this undertaking not only by the parties themselves, but by the regional organization they have established with the right to make special inspections. It is to our advantage to reduce the chances of such deployment, which could upset stability in this hemisphere and add to the number of locations and directions, and in some cases decrease the distance, from which nuclear attacks could be launched against us. And it is also to our advantage to have this additional means of verifying that such deployment has not occurred.

Second, it complements our efforts to prevent the proliferation of nuclear weapons in several ways. For example, this treaty is already in force for seven states that have not yet ratified the NPT¹³ (although one of them is scheduled to do so this

¹³ Barbados, Dominican Republic, El Salvador, Guatemala, Honduras, Nicaragua, Venezuela. For the nonproliferation treaty, see *Documents on Disarmament, 1968*, pp. 461-465.

afternoon), and it has been signed by three other states which have not yet signed the NPT.¹⁴ Moreover, the treaty requires IAEA (International Atomic Energy Agency) safeguards on all nuclear materials and facilities under their jurisdiction.

In short, we believe that this treaty has considerable merit both as an arms control measure and for its potential contribution to our national security, and that it deserves our support. Moreover, we believe there are important international political advantages to giving it our support, and correlative disadvantages to not doing so. Accordingly, we urge the committee to recommend that the Senate give its advice and consent to ratification of Additional Protocol II with a statement of the type discussed this morning.

Thank you, sir.

Statement by ACDA Assistant Director Leonard to the Senate Foreign Relations Committee [Extracts]: Additional Protocol II to the Tlatelolco Treaty, September 22, 1970¹

Mr. Chairman, it is an honor to have this opportunity to testify in favor of the ratification of Protocol II to the Treaty for the Prohibition of Nuclear Weapons in Latin America.² This treaty—which is familiarly known as the Treaty of Tlatelolco—is the first successful attempt to create a nuclear free zone in a populated region of the world.

The Treaty of Tlatelolco has been the subject of several resolutions in the U.N. General Assembly³ subsequent to the one referred to by Assistant Secretary Meyer,⁴ as well as one at the 1968 Conference of Nonnuclear Weapon States.⁵ In each case, the resolution, which endorsed the treaty and urged the nuclear weapon states to adhere to Additional Protocol II, was passed by an overwhelming majority of the world community.

In this connection, it should be noted that the Soviet Union—while always a vocal proponent of nuclear free zones—has not yet signed Protocol II. We consider Soviet adherence desirable, and hope that it will occur, but we do not believe it should be considered a condition precedent to our own adherence to that protocol.

In the first place, the principal benefit of the treaty to us lies in the undertakings of the Latin American parties to forswear

¹⁴ Argentina, Brazil, Chile.

¹ *Additional Protocol II to the Latin American Nuclear Free Zone Treaty. Hearings*, pp. 18-25.

² *Documents on Disarmament*, 1967, pp. 69-83.

³ *Ibid.*, pp. 620-621.

⁴ *Supra*.

⁵ *Documents on Disarmament*, 1968, pp. 672-674.

nuclear weapons, to prohibit and prevent their introduction into the zone, and not to authorize or encourage their use by others. Participation by the Soviets is irrelevant to the first of these undertakings, and the second and third should serve to inhibit the Soviet Union from deploying nuclear weapons in this zone even if it does not adhere to Protocol II.

Moreover, the treaty will supplement our national efforts to detect and prevent any Soviet introduction of nuclear weapons in the territories of the contracting parties.

Let me now turn to the task which Assistant Secretary Meyer said I would undertake—a review of the specific provisions of Additional Protocol II and of the statement which we propose to incorporate in our instrument of ratification. These documents appear at pages VIII to X of Executive H.⁶

The first two articles of Additional Protocol II obligate us to respect the express aims and provisions of the treaty, and not to contribute in any way to the performance of acts involving a violation of the obligations of article I in the territories to which the treaty applies in accordance with article 4.

I think, as was indicated in your discussion with Secretary Meyer, this is one of the principal obligations that we undertake. It is a reinforcement of the obligation of the other parties to it, the parties to the treaty, the contracting parties, Latin American countries. But as you say, it makes two promises which are perhaps worth more than one promise.

Article 3 of Protocol II contains an undertaking “not to use or threaten to use nuclear weapons against the Contracting Parties of the Treaty.” The contracting parties are defined in the treaty as “those for whom the Treaty is in force” and thus do not include parties to either of the protocols.

Note that the third paragraph of part I of the statement which we propose to include in our instrument of ratification relates to this nonuse undertaking, as does part III of that statement, in which we say that we will extend the benefits of the nonuse undertaking to such territories of adherents to Protocol I as are located within the zone of application. That would be under the present circumstances the British possessions.

Mr. Chairman, I offer for the record a brief written explanation of the reasoning behind these portions of the proposed statement.⁷

Article 4 of the protocol incorporates a number of the provisions of the treaty by reference. Thus it provides that the duration of the protocol shall be the same as that of the treaty, and that the provisions of article 30 on denunciation shall be

⁶ *Ante*, pp. 317-318.

⁷ *Infra*.

applicable to the protocol. Article 30 of the treaty (which appears on page 13 of the annex to Executive H), provides that it may be denounced "if, in the opinion of the denouncing state, there have arisen or may arise circumstances connected with the content of this treaty or of the Annexed Additional Protocols I and II which affect its supreme interests or the peace and security of one or more contracting parties," and goes on to provide that denunciation shall take effect 3 months after notification. This provision is very similar to the withdrawal articles of the Limited Test Ban Treaty⁸ and the Nuclear Non-Proliferation Treaty.⁹

And, as in the case of these treaties, the express provision for withdrawal does not affect the rights and remedies which a party would have under international law in the event of a material breach of the treaty.

Article 4 of the protocol also provides that the definitions of "territory" and "nuclear weapons" as set forth in Articles 3 and 5 of the treaty shall be applicable to this protocol.

The first of these definitions has, frankly, one undesirable aspect. It provides that "for the purpose of this treaty, the term 'territory' shall include the territorial sea, air space and any other space over which the State exercises sovereignty in accordance with its own legislation."

That is the wording of the treaty.

In commenting on earlier drafts of the treaty, we urged deletion of the words "in accordance with its own legislation" since it was apparent to us that a state could not validly assert jurisdiction over international waters by unilateral acts of its own legislature. The United Kingdom made the same point. In view of the fact that the parties did not remove these words, both the United States and the United Kingdom accompanied their signature of Protocol II with statements explaining their understanding of the effect of this provision.¹⁰ The United Kingdom also incorporated such a statement in its instrument of ratification, and we propose to do so as well. One form this statement might take is that appearing as the first paragraph of part I of the text of the proposed statement on page IX of Executive H. This states:

"The United States understands that the treaty and its protocols have no effect upon the international status of international claims."¹¹

We have, however, recently concluded that an even more explicit formulation, that would be more in line with the British statement, would be desirable. It would substitute the following as the first paragraph of the proposed statement:

⁸ *Documents on Disarmament*, 1963, pp. 291-293.

⁹ *Ibid.*, 1968, pp. 461-465.

¹⁰ For the U.S. statement, see *ibid.*, pp. 204-205.

¹¹ *Ante*, p. 317.

"The United States understands that the reference in Article 3 of the Treaty to 'its own legislation' relates only to such legislation as is compatible with the rules of international law and as involved an exercise of sovereignty consistent with those rules, and accordingly that signature or ratification of Additional Protocol II by the Government of the United States could not be regarded as implying recognition, for the purposes of this Treaty and its Protocols or for any other purpose, of any legislation which did not, in the view of the United States, comply with the relevant rules of international law."

The treaty's definition of "nuclear weapons" in article 5 would seem clearly to cover any nuclear explosive device, even if it were intended to be used for peaceful purposes. Its second sentence is in line with our own Atomic Energy Act, which excludes from the definition of atomic weapon "the means for transporting or propelling the device (where such means is a separable and divisible part of the device)."¹²

In addition to the matters discussed thus far, article 4 of Protocol II states that the "provisions regarding ratification, reservations, authentic texts and registration contained in articles 26, 27, and 31 of the treaty" should be applicable to this protocol. Article 26 of the treaty provides that it shall be subject to ratification by signatory states in accordance with their respective constitutional procedures, and provides for deposit, certified copies, and notification of deposit. Article 27 provides that the treaty shall not be subject to reservations. And article 31 is the usual type of provision on equal authenticity of texts and registration with the United Nations.

Finally, article 5 of Protocol II provides that the protocol shall enter into force for each adherent on the date it deposits its instrument of ratification.

Let me now briefly analyze the effect of the undertakings in articles 1 and 2 of this protocol. The principal undertaking to which these articles give rise is to respect, and not to contribute to the violation of, the obligations contained in the first article of the treaty. In that article the contracting parties undertake "to use exclusively for peaceful purposes the nuclear material and facilities which are under their jurisdiction, and to prohibit and prevent in their respective territories the testing, use, manufacture, production or acquisition by any means whatsoever of any nuclear weapons by the parties themselves, directly or indirectly, on behalf of anyone else or in any other way." They also undertake "to prohibit and prevent in their respective territories the receipt, storage, installation, deployment and any form of possession of any nuclear weapons, directly or indirectly, by the parties themselves, by anyone on their behalf or in any other way." It is to be noted that these provisions do not include a prohibition on

¹² *American Foreign Policy, 1950-1955: Basic Documents*, vol. 1, p. 2863.

the transit or transport of nuclear weapons by states that are not contracting parties. Mr. Chairman, I offer for the record a brief analysis of the negotiating history on this point, designed to help explain the reasoning behind the second paragraph of part I of the statement we propose to include in our instrument of ratification.¹³

Under the second paragraph of article 1 of the treaty, the contracting parties undertake to refrain from engaging in, encouraging, or authorizing, directly or indirectly, or in any way participating in the testing, use, manufacture, production, possession, or control of any nuclear weapon. Unlike the first paragraph of article 1, this undertaking is not restricted to the respective territories of the contracting parties, but applies everywhere.

The general question of the geographical extent of the zone created by this treaty has already been discussed by you with Secretary Meyer. You are aware that the first paragraph of article 4 provides that "the zone of application of this treaty is the whole of the territories for which the treaty is in force." At the present time these territories are the ones marked in red and blue on the map Assistant Secretary Meyer showed you. This area may, of course, expand, as more states ratify the treaty or Additional Protocol I thereto, to cover their respective territories in the region.

Then in the second paragraph of article IV there is this much more extensive zone and the conditions for its coming into being were explained in the earlier testimony. The possibility that this very much broader zone might come into existence should not cause concern in connection with our ratification of Protocol II because this zone could not materialize until we had also ratified Protocol I, which we have not signed, and which, of course, will be the subject of consideration by the Senate if we should ever do so.

The last point I need to explain relates to article 18 of the treaty, which deals with peaceful nuclear explosions. As I indicated earlier, this provision was modified with a view to meeting our concern that there would be a loophole in the treaty if the contracting parties were permitted to develop, acquire, or use their own nuclear explosive devices for peaceful purposes. Notwithstanding this modification, two of the signatories and one of the parties to the treaty have expressed the view that they would not be precluded from doing so. On the other hand, both the negotiating history of the treaty and the prevailing view of the parties support our position on this point.

To remove any doubt, however, as to the basis on which we would be adhering to Additional Protocol II, we propose to include

¹³ *Infra*.

in our instrument of ratification the understandings and comments contained in part II of the proposed statement appearing on pages IX and X of Executive H. It should be noted that this statement reaffirms our willingness to extend our NPT undertaking with respect to peaceful nuclear explosion services, on the same basis, to states precluded by the treaty of Tlatelolco from manufacturing or acquiring nuclear explosive devices. Any party to that treaty that acquired such a device would not be entitled to the benefit of such undertaking. Moreover, we would consider that such action violated its obligations under article 1 of the treaty, entitling us to the rights and remedies available under international law in the event of a material breach of a treaty.

Mr. Chairman, this concludes my prepared statement. I believe that the United States should ratify Additional Protocol II, and I hope that the Senate will give its advice and consent to such ratification.

**ACDA Statement to the Senate Foreign Relations Committee:
Additional Protocol II to the Tlatelolco Treaty and the Non-Use
of Nuclear Weapons, September 22, 1970¹**

One of the undertakings by the Latin American parties to the Treaty is to prohibit and prevent in their respective territories the use of nuclear weapons. Accordingly, Protocol II, which is basically an undertaking by nuclear-weapon states to respect the Treaty and not to contribute to its violation, contains an undertaking "not to use or threaten to use nuclear weapons against the Contracting Parties" to the Treaty, which are defined to include only those Latin American states with respect to which the Treaty is actually in force. This undertaking does *not* extend to other nuclear powers, nor to non-parties to the Treaty (such as Cuba), nor to states outside the zone which have territories or possessions within it. It is made in reciprocity for the undertakings of the Contracting Parties under Article 1 of the Treaty which not only are designed to keep the area wholly free from nuclear weapons but also include an undertaking to refrain from "encouraging or authorizing, directly or indirectly, or in any way participating in the use . . . possession or control of any nuclear weapon." Actions incompatible with those basic obligations would constitute a failure of the consideration for our non-use undertaking, and thus a material breach of the Treaty that would enable us to treat our non-use undertaking as no longer binding. To make clear our understanding that this principle would extend to an armed attack by a Contracting Party, in which it was assisted

¹ *Additional Protocol II to the Latin American Nuclear Free Zone Treaty: Hearings*, pp. 20-21. The treaty and protocol appear in *Documents on Disarmament, 1967*, pp. 69-83.

by a nuclear-weapon state, the third paragraph of Section I of the U.S. statement reads as follows:

As regards the undertaking in article 3 of Protocol II not to use or threaten to use nuclear weapons against the Contracting Parties, the United States would have to consider that an armed attack by a Contracting Party, in which it was assisted by a nuclear-weapon State, would be incompatible with the Contracting Party's corresponding obligations under article 1 of the treaty.²

Assessment of the non-use undertaking at the time the Treaty was signed by the United States resulted in agreement within the government that it was acceptable in this particular case in view of (a) the special historic relationship which the United States has maintained with its hemispheric neighbors, and (b) the difficulty of conceiving of circumstances in which the United States would find it in its interest to use or threaten to use nuclear weapons against a Latin American party to the Treaty which was abiding by its obligations thereunder, as understood by the United States and clarified in the foregoing statement.

As noted in the section above on the "non-use" undertaking in Protocol II, that undertaking applies only to the "Contracting Parties" to the Treaty itself, a term that does not include territories or possessions in the area that are brought under the Treaty by ratification of Protocol I. Thus territories such as Surinam and the Netherlands Antilles and British Honduras could be subjected to all of the obligations of a party to the Treaty without getting the benefit of the "non-use" undertaking under Protocol II. In signing Protocol II, both the United States and the United Kingdom indicated their desire to correct this inequity (which was probably a drafting oversight) by extending their "non-use" undertakings to such territories. Thus Section III of the U.S. statement on signature reads as follows:

The United States also wishes to state that, although not required by Protocol II, it will act with respect to such territories of Protocol I adherents as are within the geographical area defined in paragraph 2 of article 4 of the treaty in the same manner as Protocol II requires it to act with respect to the territories of Contracting Parties.³

**ACDA Statement to the Senate Foreign Relations Committee:
Additional Protocol II to the Tlatelolco Treaty and the Right of
Transit, September 22, 1970¹**

The second paragraph of Part I of the proposed statement deals with the question of the transit through the Treaty's zone of application of airplanes or ships of states that are not Parties while

² *Ibid.*, 1968, p. 205.

³ *Ibid.*

¹ *Additional Protocol II to the Latin American Nuclear Free Zone Treaty: Hearings*, pp. 23-24. For the treaty and protocol, see *Documents on Disarmament*, 1967, pp. 69-83.

carrying nuclear weapons.² It cited the negotiating history of the treaty, which makes it clear that such rights and privileges of transit are not affected by the Treaty.

One of the alternative drafts of Article 1 of the Treaty submitted at the Third Session of the Preparatory Commission would have prohibited the parties from permitting "transport" of nuclear weapons in their respective territories.³ Mexico's alternative text did not include any reference to "transport". In his letter of August 29, 1966, to the Chairman of the Preparatory Commission, U.S. Ambassador Freeman stated that "the United States assumes that the proposed treaty would impose no prohibition that would restrict the freedom of transit within the Western Hemisphere. The United States policy on freedom of transit is based on our national security needs and the vital security interests of the Hemisphere. . . . We therefore assume that the language of Article I as finally agreed will not in any way impair the freedom of transit."⁴

At the Fourth Session of the Preparatory Commission, Argentina advised that it wished a prohibition against transit and transport to be included in the Treaty. However, the Commission refused to adopt the Argentine position and the Final Act of the Fourth Session contained a specific statement regarding transit and transport. This statement notes that the *parties to the Treaty* itself may not engage in the "transport" of nuclear weapons, whether in transit or not, because of the prohibition of Article 1 against "any form of possession of nuclear weapons." But in the case of other states, including Parties to Protocol II, the transport of nuclear weapons is seen as "identical with 'transit', which, in the absence of any provision of the Treaty, must be understood to be governed by the principles and rules of international law."⁵

In the light of this background, the statement made by the United States on signing Protocol II read:

The United States takes note of the Preparatory Commission's interpretation of the treaty, as set forth in the Final Act, that, governed by the principles and rules of international law, each of the Contracting Parties retains exclusive power and legal competence, unaffected by the terms of the Treaty, to grant or deny non-Contracting Parties transit and transport privileges.⁶

Both the statement in the Final Act and the United States statement preserve for the United States the right of innocent passage through the territorial sea (this being one effect of the phrase "governed by the principles and rules of international law"). This statement in the Final Act and the United States statement also preserve for the United States the privilege, if granted by the relevant Party, of port visits and overflights incidental to transit. The Final Act statement provides assurance

² *Ante*, p. 317.

³ *Documents on Disarmament*, 1966, p. 258.

⁴ *Ibid.*, p. 623.

⁵ See COPREDAL/76, pp. 10-11.

⁶ *Documents on Disarmament*, 1968, p. 205.

that the continuation of present U.S. policies and practices with respect to the transport or transit of nuclear weapons will not be inconsistent with our undertakings under Protocol II to fully respect the "statute of denuclearization" and not to contribute to violations of Article I of the Treaty.

Since the Treaty's entry into force there has been no interference with our transit rights based on this Treaty.

Letter From Admiral Moorer to Senator Fulbright on Additional Protocol II to the Tlatelolco Treaty, September 22, 1970⁷

Dear Mr. Chairman,

It is understood that the Committee on Foreign Relations will begin hearings in the near future on Executive H, 91-2, the Additional Protocol II to the Treaty for the Prohibition of Nuclear Weapons in Latin America. I would, therefore, like to take this opportunity to express the position of the Joint Chiefs of Staff on this important Protocol.

The Joint Chiefs of Staff have carefully reviewed the military implications of United States ratification of Protocol II of the Treaty of Tlatelolco. They understand that United States adherence to Protocol II would not have any effect regarding the continuance of United States military overflights, transit privileges, and naval ship visits to Latin American countries and that the interpretative statements accompanying United States signature of Protocol II have received general international acceptance.² In light of this understanding, the Joint Chiefs of Staff have no objection to the United States ratification of Protocol II of the Treaty of Tlatelolco and believe that such ratification would be in the interests of United States national security.

Thank you for affording me this opportunity for presenting the above views of the Joint Chiefs of Staff to the Senate Foreign Relations Committee.

Sincerely,

T. H. Moorer
Admiral, U. S. Navy

Address by Foreign Minister Gromyko to the General Assembly [Extract], October 21, 1970¹

It is generally recognized that the vital interests of the peoples demand that mankind be saved from the arms race which

⁷ Additional Protocol II to the Latin American Nuclear Free Zone Treaty. Hearings, p. 26. The treaty and protocol appear in *Documents on Disarmament*, 1967, pp. 69-83.

² See *ibid.*, 1968, pp. 203-205.

¹ A/PV.1877 (prov.), pp. 46-48.

constitutes a heavy burden for the peoples and increases the danger of war. However great may be the difficulties in reaching the solution of this problem, a pessimistic approach is utterly alien to us. The Soviet Government is firm in its opinion that disarmament is possible only if the States and Governments which bear responsibility for their policies want to achieve it. The Soviet Union is prepared—naturally, on a reciprocal basis—to go all the way, up to general and complete disarmament. This is our invariable stand. It was our stand during the first years of the existence of the Soviet State. It continues to be our stand today.

The Soviet Union is in favour of invigorating the talks on general and complete disarmament, with due account taken of the progress achieved in the field of military technology, of the conclusion of several agreements on the limitation of the nuclear arms race, particularly the Moscow Treaty banning nuclear weapons tests in three environments,² the Treaty on principles governing the activities of states in outer space,³ the Treaty on the Non-Proliferation of Nuclear Weapons,⁴ as well as the entire range of the experience of talks which have taken place so far. It stands to reason that the obligations assumed on disarmament problems should cover a maximum number of States and, with regard to nuclear disarmament, the participation of all nuclear Powers—as we have already repeatedly stressed—is an indispensable condition.

One of the tasks to which the attention of States should be drawn at the present session also is to ensure that all the States of the world should accede to the non-proliferation Treaty.

In considering general and complete disarmament as the ultimate goal, the Soviet Union, as before, is making every effort to achieve agreements on individual disarmament measures and on limiting the arms race.

The treaty banning the emplacement on the sea-bed and ocean floor and the subsoil thereof of nuclear weapons and other weapons of mass destruction is added to the list of what has already been done in this field. An agreed draft of this treaty has been submitted by the Committee on Disarmament,⁵ which has done a useful job. Approval of this treaty here and its subsequent signature by the States will be a positive international act.

However, further progress towards measures of actual disarmament is meeting with the stubborn opposition of the forces which are spurring the arms race and whose policies, like iron weights, are encumbering the positions of some countries in disarmament matters. Even now, these forces are attempting to involve States in an even more wasteful and perilous competition in creating and manufacturing ever new types of weapons. It is worthwhile to recall this from the rostrum of the General Assembly at this session

² *Documents on Disarmament*, 1963, pp. 291-293.

³ *Ibid.*, 1967, pp. 38-43.

⁴ *Ibid.*, 1968, pp. 461-465.

⁵ *Ante*, pp. 475-479.

It is the opinion of the Soviet Government that agreement should be achieved in the immediate future on the termination of the manufacture and on the destruction of chemical and bacteriological means of warfare, that most dangerous type of weapons of mass destruction. One hardly needs to be wordy about the significance of solving this task for all mankind.

The military use of toxins, gases, bacteria and similar chemico-bacteriological means has long since been condemned and stigmatized by peoples and States. It has been prohibited by the Geneva Protocol of 1925 which has become a universally recognized rule of international law.⁶ Why then should we reconcile ourselves to the fact that these monstrous means of warfare are retained in the arsenals of States, while their stockpiles are growing and laboratories are conducting, under the cover of secrecy, experiments on still more lethal types of chemical and bacteriological weapons? That is what guided the socialist countries when they submitted for consideration by the General Assembly the appropriate draft of an international convention.⁷ We should like to hope that it will be considered with earnest attention.

The Soviet Union is proposing other measures too, the implementation of which would constitute important progress in the field of disarmament. These include the dismantling of foreign military bases in alien territories, the establishment of nuclear-free zones in various parts of the world, and the cessation of underground nuclear weapon tests.

The Soviet Government is continuing bilateral negotiations with the United States Government on matters relating to curbing the strategic arms race. The next round of those negotiations will begin in a few days. The Soviet Government would like to express the hope that eventually they will lead to positive results.

**Address by President Nixon to the General Assembly [Extract],
October 23, 1970¹**

Mr. President, Mr. Secretary General, distinguished chiefs of state and heads of government, Your Excellencies the Foreign Ministers, and delegates here assembled:

I am honored to greet the members of the United Nations on behalf of the United States as we celebrate this organization's 25th anniversary. On this historic occasion I wish to pay a special tribute to the founders of the United Nations, to Secretary General U Thant, and to all others who have played indispensable roles in its success.

⁶ *Documents on Disarmament*, 1969, pp. 764-765.

⁷ *Post*, pp. 533-537.

¹ *Department of State Bulletin*, Nov. 16, 1970, pp. 601-603.

In considering an anniversary and in celebrating one, there is a temptation to recount the accomplishments of the past, to gloss over the difficulties of the present, and to speak in optimistic or even extravagant terms about our hopes for the future.

This is too important a time and too important an occasion for such an approach. The fate of more than three and a half billion people today rests on the realism and candor with which we approach the great issues of war and peace, of security and progress, in this world that together we call home.

So I would like to speak with you today not ritualistically, but realistically; not of impossible dreams, but of possible deeds.

The United Nations was born amid a great upwelling of hope that at last the better nature of man would triumph. There was hope that Woodrow Wilson's dream of half a century ago—that the world's governments would join “in a permanent league in which they are pledged to use their united power to maintain peace by maintaining right and justice”²—would at last be realized.

Some of those early hopes have been realized. Some have not.

The U.N. has achieved many successes in settling or averting conflicts.

The U.N. has achieved many successes in promoting economic development and in fostering other areas of international cooperation, thanks to the work of dedicated men and women all over the world.

These are matters that all the members of the United Nations can point to with very great pride.

But we also know that the world today is not what the founders of the U.N. hoped it would be 25 years ago. Cooperation among nations leaves much to be desired. The goal of the peaceful settlement of disputes is too often breached. The great central issue of our time, the question of whether the world as a whole is to live at peace, has not been resolved.

This central issue turns in large part on the relations among the great nuclear powers. Their strength imposes on them special responsibilities of restraint and wisdom. The issue of war and peace cannot be solved unless we in the United States and the Soviet Union demonstrate both the will and the capacity to put our relationship on a basis consistent with the aspirations of mankind.

Commenting here today on U.S.-Soviet relationships, I see no point in responding in kind to traditional cold-war rhetoric. The facts of the recent past speak for themselves. An effort to score debating points is not the way to advance the cause of peace.

In fact, one of the paramount problems of our time is that we must transcend the old patterns of power politics in which nations sought to exploit every volatile situation for their own advantage

² *War and Peace: Public Papers of Woodrow Wilson, Presidential Messages, Addresses and Public Papers (1917-1924) vol. I, p. 523.*

or to squeeze the maximum advantage for themselves out of every negotiation.

In today's world, and especially where the nuclear powers are involved, such policies invite the risk of confrontations and could spell disaster for all. The changes in the world since World War II have made more compelling than ever the central idea behind the United Nations: that individual nations must be ready at last to take a farsighted and a generous view. The profoundest national interest of our time—for every nation—is not immediate gain, but the preservation of peace.

Basis for Reducing U.S.-U.S.S.R. Differences

One of the reasons the world had such high hopes for the United Nations at the time of its founding was that the United States and the Soviet Union had fought together as allies in World War II. We cooperated in bringing the U.N. into being. There were hopes that this cooperation would continue.

It did not continue, and much of the world's, and the U.N.'s, most grievous troubles since have stemmed from that fact of history.

It is not my intention to point fingers of blame, but simply to discuss the facts of international life as they are.

We all must recognize that the United States and the Soviet Union have very profound and fundamental differences.

It would not be realistic, therefore, to suggest that our differences can be eliminated merely by better personal relationships between the heads of our Governments. Such a view would slight the seriousness of our disagreements.

Genuine progress in our relations calls for specifics, not merely atmospherics. A true detente is built by a series of actions, not by a superficial shift in the apparent mood.

It would not be realistic to suggest that all we need to improve our relations is "better mutual understanding."

Understanding is necessary. But we do understand one another well enough to know that our differences are real and that in many respects we will continue to be competitors. Our task is to keep that competition peaceful, to make it creative.

Neither would it be realistic to deny that power has a role in our relations. Power is a fact of international life. Our mutual obligation is to discipline that power, to seek together with other nations to insure that it is used to maintain the peace, not to threaten the peace.

I state these obstacles to peace because they are the challenge that must be overcome.

Despite the deep differences between ourselves and the Soviet Union, there are four great factors that provide a basis for common interest in working together to contain and to reduce those differences.

The first of these factors is at once the most obvious. Neither of us wants a nuclear exchange that would cost the lives of tens of millions of people. Thus we have a powerful common interest in avoiding a nuclear confrontation.

The second of these factors is the enormous cost of arms. Certainly we both should welcome the opportunity to reduce the burden, to use our resources for building rather than destroying.

The third factor is that we both are major industrial powers, which at present have very little trade or commercial contact with one another. It would clearly be in the economic self-interest of each of us if world conditions would permit us to increase trade and contact between us.

The fourth factor is the global challenge of economic and social development. The pressing economic and social needs around the world can give our competition a creative direction.

Thus, in these four matters, we have substantial mutual incentives to find ways of working together despite our continuing difference of views on other matters.

It was in this spirit that I announced, on taking office, that the policy of the United States would be to move from an era of confrontation to one of negotiation.

This is a spirit that we hope will dominate the talks between our two countries on the limitation of strategic arms.

There is no greater contribution which the United States and the Soviet Union together could make than to limit the world's capacity for self-destruction.

This would reduce the danger of war. And it would enable us to devote more of our resources, abroad as well as at home, to assisting in the constructive works of economic development and in peaceful progress: in Africa, for example, where so many nations have gained independence and dignity during the life of the United Nations; in Asia, with its rich diversity of cultures and peoples; and in Latin America, where the United States has special bonds of friendship and cooperation.

Despite our many differences, the United States and the Soviet Union have managed ever since World War II to avoid direct conflicts. But history shows, as the tragic experience of World War I indicates, that great powers can be drawn into conflict without their intending it by wars between smaller nations.

The Middle East is a place today where local rivalries are intense, where the vital interests of the United States and the Soviet Union are both involved. Quite obviously, the primary responsibility for achieving a peaceful settlement in the Middle East rests on the nations there themselves. But in this region in particular, it is imperative that the two major powers conduct themselves so as to strengthen the forces of peace rather than to strengthen the forces of war.

It is essential that we and the Soviet Union join in the efforts toward avoiding war in the Middle East and also toward developing a climate in which the nations of the Middle East will

learn to live and let live. It is essential not only in the interest of the people in the Middle East themselves, but also because the alternative could be a confrontation with disastrous consequences for the Middle East, for our nations, and for the whole world.

Therefore we urge the continuation of the cease-fire and the creation of confidence in which peace efforts can go forward.

In the world today we are at a crossroads. We can follow the old way, playing the traditional game of international relations, but at ever-increasing risk. Everyone will lose; no one will gain. Or we can take a new road.

I invite the leaders of the Soviet Union to join us in taking that new road: to join in a peaceful competition, not in the accumulation of arms, but in the dissemination of progress; not in the building of missiles, but in waging a winning war against hunger and disease and human misery in our own countries and around the globe.

Let us compete in elevating the human spirit, in fostering respect for law among nations, in promoting the works of peace. In this kind of competition, no one loses and everyone gains.

Revised Communist Draft Convention Submitted to the General Assembly: Prohibition of the Development, Production, and Stockpiling of Chemical and Bacteriological (Biological) Weapons and the Destruction of Such Weapons, October 23, 1970¹

The States Parties to this Convention,

Convinced of the immense importance and urgent necessity of eliminating from the arsenals of States such dangerous weapons of mass destruction as chemical and bacteriological (biological) weapons,

Guided by the desire to facilitate progress in the achievement of the objectives of general and complete disarmament,

Desiring to contribute to the strengthening of confidence between peoples and the general improvement of the international atmosphere,

Believing that scientific discoveries in the field of chemistry and bacteriology (biology) must in the interests of all mankind be used solely for peaceful purposes,

Recognizing nevertheless that the development of scientific knowledge throughout the world will increase the risk of the use of chemical and bacteriological (biological) methods of warfare,

¹ A/81.5, Oct. 23, 1970. The draft convention was submitted to the Secretary-General by the Polish representative on behalf of the following countries: Bulgaria, Byelorussian S.S.R., Czechoslovakia, Hungary, Mongolia, Poland, Romania, Ukrainian S.S.R., and U.S.S.R. The original version of the draft convention appears in *Document on Disarmament*, 1969, pp. 455-457.

Convinced that such use would be repugnant to the conscience of mankind and that no effort should be spared to minimize this risk,

Recognizing the important significance of the Geneva Protocol of 17 June 1925 for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare,² an instrument which embodies generally recognized rules of international law, and conscious also of the contribution which the said Protocol has already made, and continues to make, to mitigating the horrors of war,

Reaffirming their adherence to the purposes and principles of that Protocol and calling upon all States to comply strictly with them,

Recalling United Nations General Assembly resolutions 2162 B (XXI) of 5 December 1966³ and 2454 A (XXIII) of 20 December 1968⁴ which condemned all actions contrary to the Geneva Protocol of 17 June 1925, and also resolutions 2603 A and B (XXIV) of 16 December 1969⁵ which, *inter alia*, confirmed once again the generally recognized character of the rules of international law embodied in the Geneva Protocol of 17 June 1925,

Noting the conclusions contained in the report submitted to the United Nations General Assembly and the Disarmament Committee on the grave consequences for mankind that might result from the use of chemical and bacteriological (biological) weapons,

Expressing their desire to contribute to the implementation of the Purposes and Principles of the Charter of the United Nations,

Have agreed as follows:

Article I

Each State Party to this Convention undertakes not to develop, produce, stockpile or otherwise acquire chemical and bacteriological (biological) weapons, or equipment or vectors specially designed for the use of chemical and bacteriological (biological) weapons as means of warfare.

Article II

Each State Party to this Convention undertakes to destroy within a period of—observing all the necessary precautions—or to divert to peaceful uses all previously accumulated chemical and bacteriological (biological) weapons in its possession, as well as equipment and vectors specially designed for the use of chemical and bacteriological (biological) weapons as means of warfare.

Article III

Each State Party to the Convention undertakes not to assist, encourage or induce any individual State, group of States or

² *Ibid.*, pp. 764-765.

³ *Ibid.*, 1966, pp. 798-799.

⁴ *Ibid.*, 1968, pp. 793-795.

⁵ *Ibid.*, 1969, pp. 716-719.

international organizations to develop, produce or otherwise acquire and stockpile chemical and bacteriological (biological) weapons.

Article IV

Each State Party to the Convention shall be internationally responsible for compliance with its provisions by legal and physical persons exercising their activities in its territory, and also by its legal and physical persons outside its territory.

Article V

Each State Party to the Convention undertakes to take as soon as possible, in accordance with its constitutional procedures, the necessary legislative and administrative measures to prohibit the development, production and stockpiling of chemical and bacteriological (biological) weapons and to destroy such weapons.

Article VI

The States Parties to the Convention undertake to consult one another and to co-operate in solving any problems which may arise in the application of the provisions of this Convention.

Article VII

1. Each State Party to the Convention which finds that actions of any other State Party constitute a breach of the obligations assumed under articles I and II of the Convention may lodge a complaint with the Security Council of the United Nations. Such a complaint should include all possible evidence confirming its validity, as well as a request for its consideration by the Security Council. The Security Council shall inform the States Parties to the Convention of the result of the investigation.

2. Each State Party to the Convention undertakes to co-operate in carrying out any investigations which the Security Council may undertake, in accordance with the provisions of the United Nations Charter, on the basis of the complaint received by the Council.

Article VIII

1. The States Parties to the Convention undertake to facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of chemical and bacteriological (biological) agents.

2. This Convention shall be implemented in a manner designed to avoid hampering the economic or technological development of States Parties to the Convention or international co-operation in the field of peaceful chemical and bacteriological (biological) activities, including the international exchange of chemical and bacteriological (biological) agents and equipment for the pro-

essing, use or production of chemical and bacteriological (biological) agents for peaceful purposes in accordance with the provisions of this Convention.

Article IX

Any State Party may propose amendments to this Convention. Amendments shall enter into force for each State Party accepting the amendments upon their acceptance by a majority of the States Parties to the Convention and thereafter for each remaining State Party on the date of acceptance by it.

Article X

Five years after the entry into force of this Convention, a conference of States Parties to the Convention shall be held at Geneva, Switzerland, in order to review the operation of this Convention with a view to assuring that the purposes of the preamble and the provisions of the Convention are being realized. Such review shall take into account any new scientific and technological developments relevant to this Convention.

Article XI

1. This Convention shall be open to all States for signature. Any State which does not sign the Convention before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.

2. This Convention shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of which are hereby designated the Depositary Governments.

3. This Convention shall enter into force after the deposit of the instrument of ratification by Governments, including the instruments of ratification of the Governments of States which are permanent members of the United Nations Security Council and of other Governments designated as Depositaries of the Convention.

4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Convention, [the Convention] shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or of accession and the date of the entry into force of this, and shall transmit other notices to them.

6. This Convention shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

Article XII

This Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Convention shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

In witness whereof the undersigned, duly authorized, have signed this Convention.

DONE in _____ copies at _____, this _____ day of _____, _____.

Statement by the Soviet Representative (Roshchin) to the First Committee of the General Assembly, November 2, 1970¹

Today, the First Committee is beginning consideration of the question of disarmament, to which States Members of the United Nations and the United Nations as a whole unswervingly have attached great importance and great attention. This is quite understandable. The solution of these problems is related to the vital issues of our times, namely the strengthening of international security, the establishment of a sound and durable peace, and the raising of the standard of living of peoples.

The importance of the question of disarmament has grown immeasurably over the last ten years, during which tremendous changes have taken place in the world in the field of nuclear physics, chemistry, rocket construction and in other fields of science and technology, and also in military production. It is quite obvious that a nuclear war would cause tremendous losses and the destruction of many millions of people, of whole States and of invaluable sources of culture.

The Soviet Union considers that the problem of disarmament is a most important issue which requires an immediate solution. At all stages of its development, the Soviet Union has consistently attached great importance to action in favour of disarmament, and in approaching this task, the Soviet Union bases its actions upon the basic principle laid down by the founder of the Soviet State, Vladimir Ilyich Lenin, who put forward the view that disarmament is the ideal of socialism.

The Soviet Union sees disarmament as an effective means of providing such a system of international security as will preclude the possibility of the resort to force for the solution of international disputes. We have been very much gratified to note that many delegations, in speaking in the general debate at this session of the United Nations General Assembly, have devoted a

¹ A/C.1/PV.1748, pp. 3-27.

considerable amount of their attention to the question of disarmament and have emphasized the vital necessity of providing speedy solutions to its problems.

As we take up the question of disarmament in this First Committee of the General Assembly, we cannot fail to point out that certain fundamental tasks in this field still remain unfulfilled. The arms race continues to intensify; the burden of military expenditures over the last ten years has increased sharply, the growth in the military budgets of many States is an indication of the fact that tremendous material and financial wealth is being devoted to military purposes. The continuation of the arms race that imperialism has imposed on the world poses a grave danger to all mankind. At the same time, however, as a positive aspect of the matter, it can be stated that in recent years a certain degree of movement has been observed in providing partial measures in the field of disarmament. This can be discerned in the fact that a number of important international agreements have been concluded which represent a significant contribution to restricting the arms race. Among such agreements are included the Moscow treaty prohibiting the testing of nuclear weapons in the atmosphere, in outer space and under water²; the Treaty on the principles relating to the activities of States in outer space, which prohibits the orbiting of nuclear weapons around the earth and their emplacement on the moon and other celestial bodies³; and the Treaty on the non-proliferation of nuclear weapons.⁴ The conclusion of these international pacts is an indication of the real significance that should be attached to the efforts being exerted by States in an attempt to put a stop to the arms race, first and foremost in the field of nuclear weapons. The Soviet Union regards these treaties I have mentioned as merely a first step towards the final goal of general and complete disarmament. The task confronting us is essentially to reach agreement on other measures to bring about disarmament, and thus to broaden the scope of international agreement in this important area of international life.

One of the most important aspects of disarmament which we have to consider at this session of the General Assembly is the conclusion of the treaty prohibiting the installation on the sea-bed, the ocean floor and the sub-soil thereof, of nuclear weapons and other forms of weapons of mass destruction. A draft of such a treaty has been prepared and submitted to the Committee on Disarmament and is to be found in document A/8059.⁵ The discussion around this item at the previous session of the General Assembly and in the Committee on Disarmament has shown that all throughout the world enormous importance is

²*Documents on Disarmaments*, 1963, pp. 291-293.

³*Ibid.*, 1967, pp. 38-43.

⁴*Ibid.*, 1968, pp. 461-465.

⁵*Ante*, pp. 475-479.

attached to the exclusion from the nuclear-weapon race of broad tracts of the beds of the world's oceans. The urgency and importance of finding solutions to these problems is emphasized by the fact that recent discoveries in science and technology have made it possible, in practical terms, to develop the sea-beds and ocean floors, while at the same time creating the risk that that environment may be used for the arms race. It is quite obvious that the use of the sea-beds for the installation of weapons of mass destruction would considerably increase the scope and extent of the arms race and would represent an increased danger of global war. Military utilization of the sea-bed and ocean floor is, for the time being at least, limited in scope, but in the very near future that situation may change. The treaty prohibiting the installation on the sea-bed and ocean floor of weapons of mass destruction is designed to prevent, or at least to reduce considerably, such a danger. At the same time, it is a prerequisite for the development of international co-operation in the peaceful uses of that environment. In General Assembly resolution 2602 F (XXIV) it was pointed out that "the prevention of a nuclear arms race on the sea-bed and the ocean floor serves the interests of maintaining world peace, reducing international tensions and strengthening friendly relations among States."⁶ The draft treaty presented for consideration at the present session of the General Assembly differs, to a great extent, from the draft that was before the twenty-fourth session of the Assembly.⁷ The changes that have been introduced into the draft affect a number of important provisions. First of all, a new article has been incorporated into the treaty which lays down, as an obligation of the parties thereto, "to continue negotiations in good faith concerning further measures in the field of disarmament for the prevention of an arms race on the sea-bed, the ocean floor and the sub-soil thereof." That new article, article V, is designed to put into effect further steps to demilitarize the sea-bed and the ocean floor, and it reflects the grave concern of a wide range of States to ensure the complete exclusion of the sea-bed and the ocean floor from the ambit of the arms race.

Another change that has been introduced into the draft treaty involves those provisions relating to a precise definition of the applicability of the treaty. At the present time, the treaty very clearly states that the prohibition of the installation of nuclear weapons and any other type of weapon of mass destruction does not apply within the limits of the twelve-mile zone to either coastal States or the sea-bed under territorial waters.

It is also stated that the outer limit of the sea-bed zone within the limits of which the coastal State has particular rights, is coterminous with the twelve-mile outer limit of the zone referred

⁶ *Documents on Disarmament*, 1969, p. 715.

⁷ *Ibid.*, pp. 507-509.

to in the Geneva Convention of 1958 on the territorial sea and the contiguous zone.⁸

A substantial change has been made also to article III, on control. That article provides not only that there shall be a control over the activities of other States Parties to the Treaty on the sea-bed and ocean floor, but also that investigations should be carried out, including inspection, which would take place with the agreement of the parties to the treaty if serious doubts should arise regarding whether certain parties to the treaty have observed the commitments which they have assumed.

The possibility is included in the article on control for the participation of all interested States, including the coastal States, in mutual consultations and steps to carry out verification. Furthermore, that verification can be carried out by States Parties not only through their own efforts or with the assistance or partial support of other States Parties, but also by means of relevant international procedures within the framework of the United Nations and in accordance with its Charter.

In the revised article on control, additional provisions have been included which give a more detailed account of the procedure to be observed for informing States Parties of doubts that might arise regarding observance of the treaty and of the results of the verification procedure.

Paragraphs 2 and 3 of that article contain changes that give a more accurate definition of the rights of States Parties, including any coastal State, to participate in consultations and co-operative efforts, and also in other verification procedures. On the whole, the article on control gives us a reliable and flexible system of verifying whether States Parties have observed the treaty by way of observing and carrying out the commitments they have assumed.

Over and above national forms of control, the system of verification also includes international procedure and the possibility of States applying to the Security Council for it to consider any doubts that have arisen concerning the way in which the treaty is being implemented.

It should also be stated that, in practice, a situation might arise in which a particular party to the treaty because of various political circumstances connected with the relations it maintains with other countries, or because of the general international situation, will be unable to participate in the sort of consultations set forth in article III of the draft treaty. In this connexion we should like to point out that the provisions included in article III, paragraph 2, relating to consultations being held between States Parties in order to remove any possible doubts regarding the way

⁸ 15 UST 1606.

in which the treaty is being implemented, of course are not a mandatory prerequisite for States Parties to invoke their right to apply to the Security Council, as set forth [in] paragraph 4 of this article, when there are serious grounds for so doing. Consequently, any State Party to the treaty may apply directly to the Security Council without even having held previous consultations.

An important modification that has been introduced into the draft treaty relates to the problem of the relationship between the commitments adopted under this treaty and the position of States regarding other, existing international conventions, and also on the question of the rights and claims to coastal waters in the continental shelf. The provision that defines the relationship of this treaty to other treaties or commitments which States may or may not be parties to—that is, those that have signed this treaty—are dealt with in a separate article—article IV—which provides that nothing in the treaty should be interpreted as supporting or prejudicing the position of any State Party with respect to rights or claims which it may assert, or with respect to recognition or non-recognition of rights or claims asserted by any other State related to waters off its coasts or the sea-bed and ocean floor.

As far as the provisions contained in the previous draft treaty are concerned, those have been further supplemented by references to the fact that the treaty should not be interpreted as supporting or prejudicing the position of any State Party with respect to existing international conventions, including the 1958 Convention on the Territorial Sea and the Contiguous Zone, and also regarding any rights or claims relating to the continental shelf.

We attach considerable importance to that article of the treaty. At the same time, we feel it necessary to emphasize that the provisions contained in the treaty on the sea-bed and ocean floor are aimed solely at fulfilling the task that has been set for this agreement: that is, to prevent the spread of nuclear weapons and other weapons of mass destruction to the sea-bed and ocean floor.

The treaty is not supposed to try to find a solution to the numerous questions of maritime law, to confirm or to abrogate any obligations that have been assumed by States under other international agreements, or to predetermine any possible decisions that may be taken in this area in the future. A considerable addition to the present draft treaty, which was made on the proposal of Mexico, can be found in the new article IX of the treaty, which states that "The provisions of this Treaty shall in no way affect the obligations assumed by States Parties to the Treaty under international instruments establishing zones free from nuclear weapons".

Representatives of the United Arab Republic in the Committee on Disarmament put forward the proposal that the article on denuclearized zones—which is article IX—should further state that

the treaty should not affect either those commitments adopted by States according to other agreements in the field of nuclear disarmament, including the Treaty on the Non-Proliferation of Nuclear Weapons.

In this connexion, we should like to point out that this proposal is covered by article IV of the draft treaty, which I have just quoted, which says:

Nothing in this Treaty shall be interpreted as supporting or prejudicing the position of any State-Party with respect to existing international conventions.

In conclusion of this part of our statement on the treaty on the sea-bed and ocean floor, we should like to emphasize that the draft treaty that has been put before the Assembly was drafted taking due account of the positions and proposals of a broad range of States, all of which participated in this discussion at the twenty-fourth session of the General Assembly and in the Committee on Disarmament.

We are fully justified, I think, in declaring that this document is the result of the joint efforts made by many Member States of the Organization. The contents of the treaty are based on the intention of providing for the security of all countries and peoples. Its entry into the category of international acts and agreements is a concrete step which expresses the desire to reduce international tension, to improve relations among States and to create favourable conditions for other steps to be taken in the field of reducing armaments and bringing about disarmament.

We are pleased to see that many delegations that took part in the general discussion at this session of the General Assembly, when referring to the question of disarmament, commended the draft treaty on the sea-bed and ocean floor and appealed to the General Assembly to approve that treaty so that it could immediately be opened for signing by States. The Soviet delegation expresses the hope that such an appeal will be responded to positively by delegations in the Assembly and that the draft treaty on the sea-bed and ocean floor will soon become an effective international enactment, serving the interests of all countries and peoples. At the same time, this would be a very positive contribution to the celebration of the twenty-fifth anniversary of the United Nations.

Another extremely important and, at the same time, urgent measure for disarmament which is being considered by the General Assembly is the prohibition of the production and the accumulation of chemical and bacteriological weapons. Representatives of many countries who spoke at the last session of the General Assembly and in the Disarmament Committee pointed out that the solution of this problem would be of tremendous significance because it would save mankind from the horrors of war resulting from the use of chemical and bacteriological means, on the one

hand, and would also promote further progress along the path to total disarmament, on the other hand.

The use by the United States of chemical substances in their military action in Viet-Nam has caused alarm and considerable indignation among world public opinion. The existence and the utilization of such weapons, the continuing development and the accumulation of stocks of such weapons have a direct effect and will continue to have a direct effect on the development of the international situation. They will engender mistrust in relations among States and will make it difficult, and even impossible, to solve other problems connected with disarmament.

In the report of the group of consultants of the World Health Organization on the dangers involved in the use of such forms of weapon, it is pointed out:

In view of the power of existing agents in conditions favourable to their use and the possibility of developing new and even more dangerous weapons, it is imperative to find ways of abolishing any presumed need for this militarily orientated research as soon as possible.⁹

The complete prohibition of such forms of armament and their destruction are a vital step which would be warmly welcomed by all countries of the world. That prohibition would become the next logical step after the Geneva Protocol of 1925, which prohibits the use of chemical and bacteriological weapons in warfare.¹⁰

The last session of the General Assembly requested the Disarmament Committee to consider urgently the question of reaching agreement on prohibiting the production, development and accumulation of stocks of chemical, bacteriological and biological weapons, and urging their destruction. Therefore, the very definite task of drawing up a text of an appropriate international agreement has been set before that Committee. In accordance with that task, the nine socialist countries submitted for the consideration of the General Assembly at its last session a draft convention on the complete prohibition of the use of chemical and bacteriological weapons.¹¹ In its turn, the United Kingdom put forward a proposal that a convention should be concluded prohibiting only biological weapons; the question of the prohibition of chemical means of waging war would be considered subsequently.¹²

The Soviet Union has unswervingly defended the need to prohibit both those types of weapons simultaneously. In conditions when chemical weapons are already being broadly utilized in military action, the precise requirement should be that both those

⁹ World Health Organization, *Health Aspects of Chemical and Biological Weapons: Report of a WHO Group of Consultants* (Geneva, 1970), p. 20.

¹⁰ *Documents on Disarmament*, 1969, pp. 764-765.

¹¹ *Ibid.*, pp. 455-457.

¹² *Ante*, pp. 428-432.

forms of weapon should be prohibited at the same time. The proposal of the Western Powers that we should confine ourselves to prohibiting only biological means of waging war, in the present circumstances, can only be regarded as an attempt to balk at finding agreement on the prohibition of chemical warfare and to try to maintain those forms of weapon for military purposes. The Soviet Union is unable to agree to such an approach. Traditionally science and practice have always considered the question of the prohibition of chemical and biological weapons as being a single goal. That is precisely how the problem was regarded in the report of the Secretary-General which was prepared by eminent specialists and scientists from fourteen States,¹³ and also in the report of the World Health Organization, in that part which is devoted to this problem and from which I previously read out an excerpt.

All international agreements on this problem consider both those forms of weapon jointly. The imposition of a prohibition on the development, production and accumulation of only one of those forms of weapons, the biological type, without having a prohibition on chemical weapons, would have a very negative influence. Such a decision would stimulate the development of chemical weapons in those countries where there are those who are in favour of using such weapons.

We are very pleased to see that the twelve non-aligned States members of the Disarmament Committee unanimously supported the proposal that a joint solution should be found to the question of dealing with chemical and biological means of waging war.

In their memorandum which was presented to the Disarmament Committee, reference was made to the considerable importance of ensuring:

... that both chemical and bacteriological (biological) weapons should continue to be dealt with together in taking steps towards the prohibition of their development, production and stockpiling and their effective elimination from the arsenals of all States.¹⁴

An important aspect of the problem of the prohibition of chemical and bacteriological weapons is ensuring that the commitments which have been adopted with regard to the prohibition of those weapons are in fact carried out. We should like to point to the peculiar nature of chemical and bacteriological weapons, the production of which is very closely related to the peaceful production of chemical and bacteriological substances. Therefore, a type of verification, for example, which would involve control posts and sending inspection groups and so forth, would, from a practical point of view, be virtually impossible. There would have to be control in practically every laboratory if this were to be done. Therefore, in view of this undisputed fact, we cannot fail to

¹³ *Documents on Disarmament*, 1969, pp. 264-298.

¹⁴ *Ibid.*, p. 454.

conclude that in order to guarantee that commitments on the prohibition of chemical and bacteriological means of waging war are fulfilled, it is necessary to combine particular specific national and international means and procedures which would make it quite certain that the commitments relative to the removal of chemical and bacteriological weapons from the arsenals of States are in fact carried out.

Such a combination of national and international means and procedures is in fact laid down in the draft convention of the nine socialist countries. The convention provides that each State Party shall be internationally responsible for compliance with its provisions by legal and physical persons exercising their activities in its territory. In order to implement this, Member States undertake to adopt legislative and administrative measures in their countries which would prohibit the development, production and stockpiling of chemical and bacteriological, including biological, weapons and to destroy such weapons (article V).

The fulfilment of these commitments would be one way of guaranteeing the implementation of an agreement on the complete prohibition and liquidation of these forms of weapons. In this way, in accordance with the provisions of the draft convention, the Governments of each and every State party would guarantee that not a single industrial enterprise nor a single citizen of a country would concern themselves with the elaboration and production of chemical and bacteriological weapons and that the military arsenals of these countries would not stockpile supplies of the weapons.

The draft convention of the socialist countries also provides for the application of international procedures in order to ensure that the commitments be observed regarding the prohibition of chemical and bacteriological ways of waging war. Thus the draft convention sets forth the commitments of States Parties to consult and co-operate with each other in solving any particular problems which might arise in connexion with the implementation of the provisions of the draft convention (article 6). The holding of such consultations would make it possible for States to decide upon any doubts which might arise in connexion with the manner in which the provisions of the draft convention are being fulfilled.

The nine socialist countries recently put before the General Assembly a revised draft convention prohibiting the elaboration, production and stockpiling of chemical and biological weapons.¹⁵ This draft convention contains a number of additional provisions, including a supplementary article—article VII—which relates to the use of international procedures in order to ensure that the provisions of the draft convention are carried out. It is not our

¹⁵ *Supra*.

intention in our present statement to dwell on this matter or to give an explanation of the additions which have been made by the authors; we shall do so at a later stage. An important task which is directly linked with the whole question of prohibiting chemical and bacteriological weapons is the strengthening of the 1925 Geneva Protocol, which prohibits the use of these types of weapons. In this particular case we should think precisely about the desirability of having all States accede to this important international agreement which already exists and which prohibits the use of this type of weapon.

We were gratified to note the decision taken by the General Assembly at its twenty-first session, in which it called upon all States parties to observe strictly the principles and aims of the 1925 Geneva Protocol and condemned all actions running contrary to these goals, and proposed that all States which had not yet done so should accede to this Protocol.¹⁶

Also, we fully agree with the interpretation of the Geneva Protocol which was given at the last session of the General Assembly to the effect that the prohibition contained therein is all-embracing and encompasses the use in international military conflict of all bacteriological and chemical means of waging war independently of any technical developments.¹⁷ As a result, there is a widely shared view that the Geneva Protocol is extremely important and a growing interest has been evident recently on the part of several States. We are pleased to note that Japan, Brazil and Morocco acceded to the Protocol this year and we were interested to note also that the President of the United States stated last November that this international instrument had been referred to the American Senate for ratification.¹⁸ Unfortunately, we cannot fail to revert to the fact that, despite this statement, the United States has still not completed the process of ratification of the Geneva Protocol.

Those participating in the present anniversary session of the General Assembly should bend every effort to ensure that progress is made on the whole question of prohibiting chemical and bacteriological weapons. It is necessary to have a constructive approach and to reach some agreement to ensure that one of the most dangerous forms of weapons of mass destruction, namely, chemical and bacteriological means of waging war, must be completely eliminated from the arsenals of States.

The revised draft which has been proposed by the nine socialist countries—a draft international convention which prohibits the development, production and stockpiling of chemical and bacteriological (biological) weapons and the destruction of such weap-

¹⁶ *Documents on Disarmament*, 1966, pp. 798-799.

¹⁷ See *ibid.*, 1969, pp. 716-717.

¹⁸ *Ibid.*, pp. 592-593.

ons--comprises a sound basis for agreement to be reached on this important matter.

Among the problems of disarmament which are at present being considered by the General Assembly, a very important place continues to be occupied by the question of general and complete disarmament. In attaching so much importance to this question, the Soviet Union, as early as 1962, put forward a broad, far-reaching specific programme of general and complete disarmament.¹⁹ We are pleased to see that the idea embodied in that programme has received world-wide recognition. From the very time that the Soviet Union put forward this disarmament programme, many developments have occurred in the field of military technology. New forms of mass destruction have been devised with tremendous destructive power, and this has made it even more urgently necessary to bring about general and complete disarmament which would prevent the achievements of science and technology being used to harm people.

Despite the efforts made by the Soviet Union and certain other countries, aimed at solving the root problems inherent in the question of disarmament, positive results have not yet been achieved. The problem of general and complete disarmament is in the same position as it was ten years ago when the Soviet Union first proposed this item for consideration by the General Assembly. However, it can be said that in recent years some individual questions in the field of disarmament have been solved. A number of international agreements limiting the nuclear arms race have been concluded. We have already had occasion to refer above to such international acts as the Moscow Treaty prohibiting nuclear weapon tests in the three environments, the Treaty on the principles governing the activities of States in outer space, the non-proliferation Treaty, and others. The fact that agreements have been reached on these questions is a convincing sign of the possibility and the necessity of solving the whole problem of disarmament by means of negotiations. The fact that further progress has been made on these lines is an inspiring factor and should serve as a stimulus to further efforts to achieve agreement on a broader range of problems pertaining to disarmament.

In view of the importance of the question of general and complete disarmament and of its consideration by the General Assembly, we are very pleased to note the great interest shown by many States in this matter. Disarmament is not an isolated or abstract problem. It is intimately related to the whole question of strengthening international security. The deterioration in the international climate is something that promotes the arms race, and this race in itself creates an atmosphere of distrust and leads

¹⁹ *Ibid.*, 1962, vol. I, pp. 103-141.

the world to the very brink of military catastrophe. The fact that there is this interrelationship can explain that the action aimed at strengthening international peace and security has constantly claimed the attention of all peoples.

In attempting to solve the problem of general and complete disarmament a great number of difficulties arise. Among them is the question of priority of disarmament measures. In conditions in which the danger of nuclear war represents a serious threat to mankind as a whole, priority should of course be given to the task of bringing about nuclear disarmament. In the Soviet proposals, questions concerning that kind of disarmament are quite naturally given pride of place. We fully realize that the radical problems inherent in complete nuclear disarmament should and must be decided with the participation of all States possessing nuclear weapons. Commitments on questions of disarmament should be adopted by the largest possible number of States.

In setting as our aim further efforts to find a solution to the problem of general and complete disarmament we should at the same time like to emphasize that this should not prejudice in any way the achievement of some agreement on partial measures in the field of disarmament. Such agreement would create an excellent climate in which to achieve positive decisions on the question of general and complete disarmament. It is the firm intention of the Soviet Union to seek agreement on separate problems related to disarmament, as is borne out by its position on the prohibition of chemical and bacteriological weapons, the Treaty prohibiting the emplacement of weapons of mass destruction on the sea-bed and ocean floor and also by our readiness to continue bilateral negotiations with the United States to restrain the strategic arms race and find a mutually acceptable solution to this vital problem. These negotiations were, as the Committee is aware, today renewed in Helsinki.

Many countries are in favour of drawing up a ten-year disarmament programme. In this connexion we should like to point out that in principle the Soviet Union has no objection to drawing up a disarmament programme, in view of the fact that it would serve the purpose of putting an end to the arms race and the necessity of reaching agreement on the most urgent steps to be taken in the field of disarmament. We fully realize that that task is an extremely complex one requiring tremendous effort, a realistic approach and goodwill. The Soviet Union is prepared to give careful consideration to all proposals from other States on this matter and to make its own contribution to this work. At the same time we feel it is necessary to emphasize that such a programme should be drawn up in such a way as to avoid postponing or delaying the search for solutions that would make concrete steps in the field of disarmament possible.

We are all fully aware that, in order to achieve agreement on the question of disarmament, tremendous effort and goodwill will be required of States. An important and responsible part of the task is our being fully mindful of the agreements and treaties that have already been concluded in this area and ensuring that they are consistently implemented.

We were very pleased when, on 5 March this year, the Treaty on the non-proliferation of nuclear weapons came into force. That Treaty should remain the centre of attention for those participating in the General Assembly. It is necessary that the largest possible range of States adhere to it and that all its provisions and commitments be strictly observed and unswervingly implemented.

In this statement my delegation has touched only upon some of the most important of the aspects of disarmament the Committee has begun discussing today. There are many other aspects of this problem on which we intend to comment in the course of the discussion. The broad exchange of views at the present session of the General Assembly will, we hope, reveal new possibilities for further progress towards solving this problem, which is of such vital interest to all peoples.

Statement by the United States Representative (Yost) to the First Committee of the General Assembly, November 2, 1970¹

At the outset of this decade of the 1970s, which the General Assembly has proclaimed the Disarmament Decade, it behoves all nations to match the solemnity of their declarations on this subject with the energy and effectiveness of their actions. We all know how fatefully important it is for humanity that we should move as rapidly as we can to control and reduce the burden of armaments. We know, too, that such progress requires of all of us an enlightened view of our vital common interests and a readiness to transcend our political differences and co-operate in measures which none of us can accomplish alone.

In that conviction, we of the United States attach the highest priority to our efforts to co-operate with our negotiating partners in the Conference of the Committee on Disarmament, here in the First Committee of the General Assembly and in the all-important strategic arms limitation talks. We are conscious of the need to tackle the complexities of these talks in a mood not only of passionate commitment but also of pragmatic, businesslike determination.

¹ A/C.1/PV.1748, pp. 27-37.

This year the Conference of the Committee on Disarmament made progress on several fronts. It has negotiated a satisfactory draft treaty to prevent the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and ocean floor.² It has also worked extensively on the problems of chemical and biological weapons.

The sea-bed treaty attached to the report of the Conference of the Committee on Disarmament is the product of almost two years of negotiations. As all members will recall, an earlier draft was discussed in this Committee last year.³ During that discussion, a number of suggestions and comments were made with the purpose of improving the treaty and helping to fashion an instrument that could command broad support. In fact, the debates of last year were of vital importance in developing the present draft treaty.

I do not think it is necessary to describe again in detail the provisions of the treaty. My Soviet colleague has already commented on some of them.⁴ However, I would on this occasion like to take special note of a few of the important contributions made both as a result of our debates here last year and as a result of the intensive work that took place at the Conference of the Committee on Disarmament this year.

The present draft treaty incorporates verification procedures largely proposed by our colleagues from Canada.⁵ The verification article was further improved during the course of the Conference of the Committee on Disarmament summer session as a result of suggestions by Argentina, Brazil, Yugoslavia and others. The verification article now provides a balanced and practical procedure permitting appropriate participation by any party that is concerned about assuring itself that in some particular situation the treaty is being observed.

The draft treaty now contains clearer provisions for defining the geographic scope and application of the treaty's obligations. The Committee will recall that last year here the delegation of Argentina proposed revision of articles I, II and IV of the treaty.⁶ That proposal has been closely followed in the present draft. Article IV of the treaty contains a disclaimer clause which states that nothing in the Treaty shall be interpreted as supporting or prejudicing the position of any State Party regarding law of the sea questions.

The treaty now contains an operative article, article V, in which the Parties undertake to continue negotiations in good faith concerning further measures in the field of disarmament for the prevention of an arms race on the sea-bed. The delegation of

² *Ante*, pp. 475-479.

³ *Documents on Disarmament*, 1969, pp. 507-509.

⁴ *Ante*, pp. 480-485, 537-549.

⁵ *Documents on Disarmament*, 1969, pp. 596-597.

⁶ *Ibid.* p. 704.

Sweden, as we all know, has long been associated with the suggestion that the treaty contain an article on further negotiations.

The present draft treaty is also responsive to proposals presented by a group of non-aligned delegations this summer in Geneva. First, as I have already mentioned, it contains an undertaking for further disarmament negotiations. Second, the treaty's verification provisions now contain a clause stating that verification may be undertaken through appropriate international procedures within the framework of the United Nations and in accordance with its Charter. Finally, there are provisions for giving notice to other parties regarding verification and calling for an appropriate report thereafter. This last idea was contributed by the delegation of Yugoslavia.

I cite these facts about the history of the draft treaty because they demonstrate that it is a draft to which many countries have contributed. This history, which is by no means a complete statement of the contributions of other countries or of the major elements of compromise reflected in the treaty, is a source of considerable satisfaction to us. The negotiation of this treaty seems to us an outstanding example of how an important multilateral instrument can be developed with the participation and the significant help of many countries. It constitutes an example that we hope will serve as a guide in the negotiation of other multilateral treaties of disarmament and arms limitation.

The present draft treaty enjoys, we believe, a wide measure of approval. We are hopeful, therefore, that it can receive broad support from this Committee. Broad acceptance of this Treaty will constitute a step forward in our efforts to halt the arms race, it is a limited step, but a step we believe valuable and which we are capable of taking now. It would keep the sea-bed, which is now a subject of increasing attention by the world community, from becoming an object of the arms race. We therefore regard this Treaty as another building block in the arms control structure which the world community has been seeking to erect during the past decade. In particular, it forms a significant part of our effort to prevent the spread of weapons of mass destruction to areas which man is just beginning to explore.

When the General Assembly had before it the non-proliferation Treaty—which we are pleased is now in force—it passed a resolution in which the treaty was commended.⁷ We hope that this year the Assembly will similarly embrace the sea-bed arms control Treaty and request that it be opened for signature and ratification at the earliest possible date. This will facilitate the success of the Treaty.

The report of the Conference of the Committee on Disarmament devotes a major section to the question of chemical

⁷ *Documents on Disarmament*, 1968, pp. 431-432.

and biological weapons.⁸ It is apparent that this question occupied much of the time of the Conference of the Committee on Disarmament. There are several draft treaty texts before the Committee and there have also been many suggestions and working papers. These suggestions and papers cover an extremely broad spectrum of issues and problems. They include such widely varying matters as the definition of chemicals that might be covered in an agreement; possible means of verifying treaty obligations, questions about the economic and industrial structures relevant to certain undertakings, and so forth. All of this work is unquestionably leading to a better understanding of the issues that are involved in coming to grips with the control of chemical weapons. It is evident that much work remains to be done—work which must be done if we are to establish a firm foundation for effective and reliable measures.

The United States continues to believe that it would be possible now, and desirable, to reach early agreement on a separate convention prohibiting biological weapons. The declared intentions of many of the countries capable of making and using such weapons are such that agreement to prohibit the production and stockpiling of these weapons should now be within our reach. We urge such a ban because we are convinced that such a step would be a significant achievement in the interests of all. Surely all of us will agree that the elimination of disease as a method of warfare would be an achievement making this planet of ours a safer and saner place in which to live? In Geneva this year we announced our readiness to add to the biological weapons convention proposed by the United Kingdom a prohibition on the production and stockpiling of toxins, some of the most lethal substances that could be used for warfare.⁹ In proposing the inclusion of toxins in the ban of biological weapons our position reflects our assessment of what substances can be prohibited now with only the most simple and easily negotiated means of verification. We expect, and indeed we welcome, a debate in this Committee regarding chemical and biological weapons in which members set forth their views about the various possible paths of progress. We will listen most attentively to this debate and we are convinced that it can make an important contribution to our future work.

As I indicated earlier, however, we recognize that the divergence of views on this subject remains very wide and that a great deal of work yet remains to be done. This year in Geneva we witnessed the most intensive discussions that have taken place to date regarding prohibitions in the field of chemical and biological weapons. We need to carry forward that work. In the light of these considerations, it is our belief that this body should refer back to

⁸ See *ante*, pp. 500-516.

⁹ See *ante*, pp. 189-190, 272-273.

Geneva all of the proposals and suggestions that have been made, as well as the record of the debates we will have in this Committee, with the request that that subject be given high priority next year at the Conference of the Committee on Disarmament. In this connexion I am gratified to recall that the United States Administration has sent the Geneva Protocol to the Senate for its advice and consent.

Another important question on which work progressed in Geneva was that of a comprehensive test ban. The United States continues to favour a ban with adequate verification, which in our judgement must include on-site inspection. Meanwhile, we are co-operating in international efforts to improve seismic detection and identification capabilities whose role in verifying an underground test ban will certainly be a vital one. In this connexion, we note with appreciation the considerable number of affirmative and useful responses which were provided to the questionnaire of the Secretary-General regarding the possibility of exchange of seismic data from stations in various countries. Work in this area should continue and we hope that our distinguished Canadian colleagues will continue to take the lead in providing us with suggestions for action that may be considered by this Committee.

The United States regards it as an important development that the question of conventional armaments received increasing attention at the Conference of the Committee on Disarmament this summer. We are convinced of the need to halt and reverse the steady rise in the already enormous expenditures of resources for the development and maintenance of these armaments throughout the world. Moreover, as I pointed out last year, all the wars now being fought are being fought with conventional arms.¹⁰

The United States and several other delegations called attention in Geneva to the need to try to come to grips with this very complex subject. Other delegations commented on our remarks and in some cases, disagreed with some of the things we said. We are nevertheless pleased that an exchange of views has begun. We think it should continue, and we hope it can continue, in the same spirit in which it was conducted in Geneva this summer.

We all recognize that any discussion of possible limitation of conventional armaments touches on the most delicate and sensitive security interests of States and particularly of those with regional security concerns or specific concerns about their neighbours. To be constructive, therefore, such a discussion requires an absence of polemics and a sincere effort to appreciate the genuine security interests of all concerned.

Before concluding this review of some, though not all, of the issues before us, I would like to touch briefly on one of the principal concerns which have been expressed during the general

¹⁰ *Documents on Disarmament*, 1969, p. 546.

debate this year. It has often been said that our pace in achieving disarmament agreements is not fast enough. Disappointment is felt that more substantial achievements in the field of disarmament are not more frequently realized.

The Government of the United States is sympathetic to this viewpoint. My Government would also like to see a great deal more progress in reaching important arms limitation agreement. We are committed to the pursuit of measures to halt the nuclear arms race under article 6 of the Non-Proliferation Treaty¹¹ and we mean to pursue that commitment with all the energy, determination and imagination at our command.

But I think we all know that significant disarmament and arms limitation measures are inherently difficult to achieve. This is a fact of life which I need not labour and which we all know can not be changed by merely wishing that international life were different from what it is.

Moreover, despite the difficulties that confront each arms control proposal, I think we must also recognize that a great deal of important business in the disarmament field is under way and much has been accomplished. In addition to the subjects which I have mentioned in the context of the Conference of the Committee on Disarmament, strategic arms limitation talks are now in progress between the United States and the Soviet Union. Let me assure my colleagues here that my Government is keenly conscious of the great importance of the SALT talks for the entire world and of the sentiments that many nations in this very Committee have expressed concerning them. As President Nixon stated in his address before the General Assembly:

There is no greater contribution which the United States and the Soviet Union together could make than to limit the world's capacity for self-destruction.

This would reduce the danger of war and it would enable us to devote more resources—abroad as well as at home—to assisting in the constructive works of economic development and peaceful progress.¹²

These vital and historic SALT negotiations have been started in a businesslike way and we are prepared, together with our Soviet colleagues, to pursue them with the utmost seriousness of purpose. As you know, the talks are now being resumed in Helsinki. We hope for positive results.

In the meantime, let us do here as much as we can to contribute to progress in all disarmament fields. Let us commend the draft treaty to prevent the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed. Let us explore here in our debates the many important arms control subjects which concern us. Let us ask the disarmament negotiating body, the Conference of the Committee on Disarmament, to get on with its work, being assisted by the important debates which will take place here.

¹¹ *Ibid.*, 1968, pp. 461-465.

¹² *Ante*, p. 532.

**Statement by the Mexican Representative (Garcia Robles) to the
First Committee of the General Assembly: Draft Sea-Bed
Treaty, November 2, 1970¹**

In view of the fact that some of the provisions of the draft treaty which appears in annex A of the report of the Conference of the Committee on Disarmament,² in the opinion of my delegation, leave much to be desired in the way of clarity and accuracy, I shall take the liberty in this brief preliminary statement of asking two concrete questions and I trust that the representatives of the United States and the Soviet Union, the co-Chairmen of the Committee on Disarmament and co-sponsors of the draft, will be good enough to reply in due course. My questions are the following:

First, according to paragraph 2 of article I, the undertakings contained in paragraph 1 of the article "shall not apply either to the coastal State or to the sea-bed beneath its territorial waters".

My delegation fully appreciates the meaning and the scope of the first of these two exceptions—that is, the coastal State. However, it is not so for the second exception. Therefore, we should be extremely grateful to those representatives whom I have just mentioned, if they would be good enough to explain to us the significance and the scope of the exception applied to the sea-bed of the territorial waters of the coastal State. We believe that it would be most desirable for that explanation to be in two parts. One would cover what we might term the positive aspect of the exception; that is to say, what is to be understood as being allowed by that exception, and secondly, to define the negative side, namely, what the exception is not intended in any way to modify.

My second question deals with the scope that must be inferred from paragraph 3 of article I regarding the nuclear-free zones referred to in article IX.

To be more specific, and in order that my question will be better understood, may I recall that, first of all, in working paper A/C.1/995 of 1 December 1969, and later in working paper CCD/294 of 21 July 1970—which appears as one of the annexes of the report of the Conference of the Committee on Disarmament—the Mexican delegation had proposed that what is now article IX should contain a second paragraph drafted as follows:

2. The States Parties to this treaty undertake not to contribute in any way to the commission in the zone referred to in article I, of acts involving a violation of such obligations.³

¹ A/C.1/PV.1748, pp. 56-61.

² *Ante*, pp. 500-516; the draft treaty is printed *ante*, pp. 475-479.

³ *Ante*, pp. 331-333.

At the 492nd meeting of the Committee on Disarmament held on 1 September 1970, the representatives of the States that are joint chairmen of the Committee referred specifically to this Mexican proposal and also to document CCD/294 where this suggested paragraph was reproduced, and stated what I shall now quote. The representative of the Soviet Union, Mr. Roshchin, as can be read in paragraph 15 of the verbatim record, stated:

The Mexican delegation renewed the proposal it made at the twenty-fourth session of the United Nations General Assembly to include in the article on nuclear-free zones—article IX of the newly revised draft—an undertaking by States parties to the treaty not to contribute to the commission in the zone referred to in article I of acts involving a violation of obligations undertaken by those parties under an agreement on nuclear-free zones. In that connexion we should like to refer to paragraph 3 of article I, which embodies the obligation not to induce other States to carry out activities prohibited by the treaty. We interpret that paragraph as fully covering the Mexican proposal and as not allowing the activities mentioned in that proposal.⁴

The representative of the United States, Mr. Leonard, in turn stated, as can be seen in paragraph 35 of this same verbatim record:

With respect to the second suggestion of Mexico for article IX, it should be noted that paragraph 3 of article I of the present treaty contains an undertaking not to assist, encourage or induce any State to carry out activities falling within the prohibitions of paragraph 1 of that article. That provision, of course, would be fully applicable within any nuclear-free zone, and it would seem to achieve the same objectives with respect to the activities covered by the treaty as would the second of the two provisions suggested by the delegation of Mexico. United States support for the principle of nuclear-free zones is a matter of record; and I want to make it clear that my Government would not take any action which might prejudice the integrity of a nuclear-free zone.⁵

Therefore, with regard to the second matter, I would ask whether we are to consider that the two declarations I have just read out represent the authorized interpretations of the Soviet Union and the United States, respectively, of the significance and scope of paragraph 3 of Article I of the draft treaty regarding the proposal made by Mexico in its working paper CCD/294 of 21 July 1970. I trust that the representatives of the Soviet Union and United States will in due course be good enough to answer my questions.

Statement by Deputy Foreign Minister Semenov at the Strategic Arms Limitation Talks, November 2, 1970¹

Esteemed Mr. Minister, esteemed Mr. Ambassador, ladies and gentlemen: May I first of all express our gratitude to the Minister of Foreign Affairs of Finland, Mr. Leskinen, for the warm greetings and good wishes for success in our work.

⁴ *Ante*, p. 483.

⁵ *Ante*, p. 498.

¹ *Department of State Bulletin*, Nov. 23, 1970, p. 652.

We are profoundly grateful to the Government and people of Finland for the opportunity accorded to us of holding a new stage of the negotiations in the city of Helsinki, the capital of a friendly country whose peace-loving foreign policy commands respect in Europe and all over the world.

The Soviet side attaches great importance to the negotiations on limiting strategic arms that are resumed in Helsinki today.

The Soviet Union has consistently come out in favor of the relaxation of tension in the world, the stopping of the arms race fanned up by certain imperialist circles, and the strengthening of international security. It is from these positions that we conduct these negotiations.

As was emphasized before, the Soviet Government hopes that eventually the Soviet-American negotiations on this question will produce positive results.²

It is evident that the questions that we discuss are not simple ones. That is why a constructive and businesslike approach from both sides is all the more important to insure progress in this matter.

On behalf of the U.S.S.R. delegation I welcome the delegation of the United States headed by Ambassador Smith, its advisers and staff members.

In conclusion, I would like to say that the U.S.S.R. delegation is gratified that the negotiations will again take place in Helsinki. The cordiality and hospitality of this city are widely known, which has justly made it a recognized place for holding international conferences and negotiations. We avail ourselves of this opportunity to extend the best wishes to the people and the authorities of the city of Helsinki and all the Finnish people. Thank you.

Statement by ACDA Director Smith at the Strategic Arms Limitation Talks, November 2, 1970¹

Foreign Minister Leskinen, Minister Semenov, ladies and gentlemen: I want to express my appreciation and that of the other members of the American delegation for the gracious words of welcome expressed by you, Mr. Leskinen, and for the wishes you have expressed for the success of our work. On behalf of my delegation, I thank you, Mr. Foreign Minister, and the Government of Finland for the hospitality that once again is being extended to the SALT delegations. We recall with pleasure the friendly and gracious cooperation offered us last year by the Government and people of neutral Finland and by your charming city of Helsinki. We are most grateful.

² See *ante*, p. 164.

¹ *Department of State Bulletin*, Nov. 23, 1970, pp. 651-652.

On behalf of the American delegation, I would like to express to Minister Semenov and other members of the Soviet delegation our satisfaction in resuming the common task begun here last year and carried forward during the talks in Vienna.

Mr. Foreign Minister, Minister Semenov, 1 year ago at the opening of these talks, President Nixon said that the U.S. SALT delegation was embarking upon one of the most momentous negotiations ever entrusted to an American delegation.² During the past year, we have been fully conscious of the heavy responsibility placed upon us.

The nature of modern strategic weapons makes their limitation a complex endeavor. We have, however, during the course of the past year's discussions been able to explore a wide range of questions relating to limiting both strategic offensive and defensive armaments and to increasing mutual understanding of some of the issues involved. From our initial general exploratory discussions here in Helsinki last year, we moved to more specific discussions in Vienna on strategic arms limitation.

Today in Helsinki we resume the effort to translate objectives which all rational men must surely hold in common into agreed verifiable arrangements to limit strategic arms. The prize of success would not be small.

In his address before the General Assembly of the United Nations on October 23, President Nixon said: "There is no greater contribution which the United States and the Soviet Union together could make than to limit the world's capacity for self-destruction."³ It is the profound hope of my Government that in this current session of our talks significant progress will be made in fashioning the contribution which the United States and the Soviet Union can make to that end. A SALT agreement would be a momentous contribution to international peace and well-being.

With hard work and a mutual recognition of the legitimate security interests of each side, we should be able to make a start in the limitation of arms and a redirection to more constructive ends of some of the resources and energies to our societies.

Let us hope that as a result of our efforts here in Finland, future generations will pass a favorable judgment on our work.

Thirty-four Power Draft Resolution Introduced in the First Committee of the General Assembly: Draft Sea-Bed Treaty, November 6, 1970⁴

The General Assembly,

Recalling its resolution 2602 F (XXIV) of 16 December 1969,⁵

Convinced that the prevention of a nuclear arms race on the

² *Documents on Disarmament, 1969*, p. 535.

³ *Ante*, p. 532.

⁴ A/C.1/L.525, Nov. 6, 1970. The resolution was cosponsored by Argentina, Austria,

sea-bed and the ocean floor serves the interests of maintaining world peace, reducing international tensions and strengthening friendly relations among States,

Recognizing the common interest of mankind in the progress of the exploration and use of the sea-bed and the ocean floor for peaceful purposes,

Having considered the report of the Conference of the Committee on Disarmament, dated 11 September 1970 (A/8059),⁶ and appreciative of the work of the Conference on the draft Treaty on the Prohibition of the Emplacement of Nuclear Weapons and other Weapons of Mass Destruction on the Sea-bed and the Ocean Floor and in the Subsoil Thereof,⁷ attached to the report,

Convinced that this Treaty will further the purposes and principles of the Charter of the United Nations,

1. *Commends* the Treaty on the Prohibition of the Emplacement of Nuclear and Other Weapons of Mass Destruction on the Sea-bed and the Ocean Floor and in the Subsoil Thereof, the text of which is annexed to the present resolution;

2. *Requests* the depositary Governments to open the Treaty for signature and ratification at the earliest possible date;

3. *Expresses* the hope for the widest possible adherence to the Treaty.

British Draft Resolution Introduced in the First Committee of the General Assembly: Chemical and Bacteriological (Biological) Weapons, November 6, 1970¹

The General Assembly,

Recalling its resolution 2603 B (XXIV) of 16 December 1969,²

Welcoming the work of Governments in pursuance of that resolution in acquainting public opinion of the report of the Secretary-General on chemical and bacteriological (biological) weapons and the effects of their possible use,³

Noting the report of the Director-General of the World Health Organization on health aspects of chemical and biological weapons,⁴

Belgium, Bulgaria, Byelorussian S.S.R., Canada, Costa Rica, Czechoslovakia, Denmark, Ethiopia, Finland, Hungary, Ireland, Italy, Japan, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Poland, Romania, Sudan, Sweden, Tunisia, Ukrainian S.S.R., U.S.S.R., U.A.R., U.K., U.S., Yugoslavia, Burma, Malaysia, and Somalia later became cosponsors. As indicated below, the third preambular par. was changed during the First Committee debate (*post*, pp. 568-569). The revised resolution was adopted by the General Assembly on Dec. 7 (*post*, pp. 680-681).

¹ *Documents on Disarmament*, 1969, p. 715.

² *Ante*, pp. 500-516.

³ *Ante*, pp. 475-479.

⁴ A/C.1/L.576, Nov. 6, 1970. The draft resolution was not voted on.

⁵ *Documents on Disarmament*, 1969, pp. 717-719.

⁶ *Ibid.*, pp. 264-298.

⁷ World Health Organization, *Health Aspects of Chemical and Biological Weapons: Report of a WHO Group of Consultants* (Geneva, 1970).

Reaffirming the importance of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925,⁵

Conscious of the continuing need to maintain inviolate the Geneva Protocol and to ensure its universal application,

Mindful of the conclusion of the report by the United Nations Secretary-General that the prospects for general and complete disarmament under effective international control and, hence, for peace throughout the world would brighten significantly if the development, production and stockpiling of chemical and bacteriological (biological) agents intended for purposes of war were to end and if they were eliminated from all military arsenals,

Recognizing the importance which the nations of the world attach to the search for effective measures to deal with the problems of chemical and biological weapons,

1. *Calls anew* for the strict observance of the principles and objectives of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925, and urges all States which have not yet done so to accede to or ratify the Geneva Protocol;

2. *Welcomes* the action of a number of States in the course of 1970 to become parties to the Geneva Protocol and, in particular, the accession or ratification of the Governments of Brazil, Ecuador, Ivory Coast, Jamaica, Japan, Kenya, Malawi, Malta and Morocco;

3. *Takes note* of the report of the Conference of the Committee on Disarmament, containing an account of the extensive discussions of all aspects of the problems of chemical and biological weapons,⁶ and the number of concrete and positive proposals put forward in the Committee on Disarmament in the search for effective ways of safeguarding and verifying any agreements in the field of chemical and biological weapons;

4. *Takes note in particular of:*

(a) The revised draft Convention for the Prohibition of Biological Methods of Warfare (A/8059, CCD/255/Rev.2) submitted on 18 August 1970 to the Conference of the Committee on Disarmament by the United Kingdom of Great Britain and Northern Ireland,⁷ incorporating an amendment suggested by the United States of America to extend the scope of its prohibitions to cover toxins⁸ and modified by a suggestion put forward by the Kingdom of the Netherlands⁹;

(b) The revised draft Convention on the Prohibition of the Development, Production and Stockpiling of Chemical and Bacte-

⁵ *Documents on Disarmament*, 1969, pp. 764-765.

⁶ *Ante*, pp. 500-516.

⁷ *Ante*, pp. 428-432.

⁸ *Ante*, pp. 272-273.

⁹ *Ante*, pp. 97-98, 437.

riological (Biological) Weapons and on the Destruction of Such Weapons (A/8136) submitted on 23 October 1970 to the General Assembly at its twenty-fifth session by Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Mongolia, Poland, Romania, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics¹⁰;

(c) The memorandum circulated in Geneva on 25 August 1970 by a group of twelve States members of the Conference of the Committee on Disarmament (A/8059, CCD/310)¹¹ and the important and helpful contributions made by all delegations to the Conference;

(d) The useful working papers and expert views put forward in the Conference of the Committee on Disarmament;

5. *Requests* the Conference of the Committee on Disarmament to give urgent consideration to reaching agreement on effective measures to deal with the problems of chemical and biological weapons, taking account of the proposals referred to above;

6. *Requests* the Secretary-General to transmit to the Conference of the Committee on Disarmament all documents and records of the First Committee relating to questions connected with the problems of chemical and biological weapons;

7. *Requests* the Conference of the Committee on Disarmament to present a report on progress achieved to the General Assembly at its twenty-sixth session.

Tripartite Draft Resolution Introduced in the First Committee of the General Assembly: Chemical and Bacteriological (Biological) Weapons, November 9, 1970¹

The General Assembly,

Recalling its resolutions 2454 A (XXIII) of 20 December 1968² and 2603 B (XXIV) of 16 December 1969,³

Having considered the report of the Conference of the Committee on Disarmament (A/8059),⁴

Noting that the report prepared by the United Nations Secretary-General, in accordance with General Assembly resolution 2454 A (XXIII) with the assistance of consultant experts, on chemical and bacteriological (biological) weapons and the effect of their possible use,⁵ and the report of the World Health Organization's group of consultants on health aspects of chemical and

¹⁰ *Ante*, pp. 533-537.

¹¹ *Ante*, pp. 453-455.

¹ A/C.1/L.527, Nov. 9, 1970. The draft resolution was sponsored by Hungary, Mongolia, and Poland. It was not voted on.

² *Documents on Disarmament*, 1968, pp. 793-795.

³ *Ibid.*, 1969, pp. 717-719.

⁴ *Ante*, pp. 500-516.

⁵ *Documents on Disarmament*, 1969, pp. 264-298.

bacteriological weapons,⁶ underline the immense importance and urgency universally felt in regard to reaching agreement to halt the development, production and stockpiling of all chemical and bacteriological (biological) weapons and to achieve their effective elimination from the arsenals of weapons,

Recognizing that prospects of international peace and security, as well as the achievement of the goal of general and complete disarmament under effective international control, would be enhanced if the development, production and stockpiling of chemical and bacteriological (biological) weapons were to end and if they were eliminated from all military arsenals,

Conscious of the need to maintain inviolate the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous and Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925,⁷ and to ensure its universal applicability,

Noting with satisfaction that in the forty-fifth anniversary year of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous and Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925, several countries have ratified or acceded to the Protocol, pursuant to the appeals of the General Assembly, and additional countries have announced their intention to do so,

Emphasizing the urgency of the need for achieving the earliest elimination of chemical and bacteriological (biological) weapons,

I

1. *Reaffirms* its resolution 2162 B (XXI) of 5 December 1966⁸ and calls anew for strict observance by all States of the principles and objectives of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925;

2. *Invites* all States which have not yet done so to accede to or ratify the Geneva Protocol.

II

1. *Takes note* of the draft Convention on the Prohibition of the Development, Production and Stockpiling of Chemical and Bacteriological (Biological) Weapons and on the Destruction of such Weapons submitted to the General Assembly by the delegations of Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Mongolia, Poland, Romania, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics (document A/8136)⁹ and of the draft Convention for the

⁶ World Health Organization, *Health Aspects of Chemical and Biological Weapons: Report of a WHO Group of Consultants* (Geneva, 1970).

⁷ *Documents on Disarmament*, 1969, pp. 764-765.

⁸ *Ibid.*, 1966, pp. 798-799.

⁹ *Ante*, pp. 533-537.

Prohibition of Biological Methods of Warfare submitted to the Conference of the Committee on Disarmament by the United Kingdom of Great Britain and Northern Ireland (A/8059, CCD/255/Rev.2),¹⁰ as well as other proposals, including the Joint Memorandum on the Question of Chemical and Bacteriological (Biological) Methods of Warfare submitted at the Conference of the Committee on Disarmament by the delegations of Argentina, Brazil, Burma, Ethiopia, India, Mexico, Morocco, Nigeria, Pakistan, Sweden, the United Arab Republic and Yugoslavia (A/8059, CCD/310);¹¹

2. *Requests* the Conference of the Committee on Disarmament to give urgent consideration to reaching agreement on a complete prohibition and elimination of chemical and bacteriological (biological) weapons;

3. *Considers* that such an agreement should provide for joint and full prohibition of the development, production and stockpiling of all chemical and bacteriological (biological) weapons and the exclusion of these means of warfare from arsenals of States through their destruction or diversion for peaceful uses;

4. *Requests* the Conference of the Committee on Disarmament to submit a report on progress on all aspects of the problems of the prohibition and elimination of chemical and bacteriological (biological) weapons to the General Assembly at its twenty-sixth session;

5. *Appeals* to all States, pending agreement on a complete ban of chemical and bacteriological (biological) weapons to take all the necessary steps to facilitate and achieve at the earliest possible time such a prohibition and elimination of these weapons;

6. *Requests* the Secretary-General to transmit to the Conference of the Committee on Disarmament all documents and records of the First Committee relating to questions connected with the problem of chemical and bacteriological (biological) weapons.

Statement by the French Representative (Mattei) to the First Committee of the General Assembly, November 9, 1970¹

Twenty-five years ago the signing of the United Nations Charter brought the promise of an era of universal peace to a world ravaged by conflict of unprecedented violence and scope. However, only a few days later, as our Secretary-General reminds us in the Introduction to his annual report, the explosion of the first atomic bomb caused new anguish to arise in the hearts of men. And it is under that two-fold sign that the General Assembly, in its

¹⁰ *Ante*, pp. 428-432.

¹¹ *Ante*, pp. 453-455.

¹ A/C.1/PV.1754, pp. 13-22.

first resolution, decided on disarmament as its first task.² We know what became of that initiative.

Whatever be the significance and the scope that one attaches to agreements concluded since that time in that area, one fact remains: over the same period of time, mankind, for the first time in its history, has invented and accumulated more means than it requires to destroy the world that it inhabits many times over, and this insane undertaking is continuing under our eyes, costing the international community more resources than it devotes to development.

We can have very few illusions about the future. The nuclear fact and the division of the world into two camps have indeed woven between the strategic and the political situation in the world, ties that are so close, and have created interests and promoted attitudes of mind of such a nature that the day when conditions will be propitious for the general and complete disarmament that the United Nations stated to be its desire ten years ago is still far away. In particular, how indeed can we expect this day to dawn in the near future when China has still not resumed its place in the world community and that same community seems unable to put an end to conflicts which today are rearing it asunder. It is quite obvious, whatever be the contribution a sincere effort at disarmament might make to the relaxation of tension and peace, that the development of such an effort presupposes a whole set of political conditions have not yet been reached.

However, the day when those conditions will be met, we must still ensure that this attempt at disarmament is ready to meet the promises that are held out. Now, this is something my delegation doubts, and wonders whether far from being, as it should be, an attempt to change the situation I have just mentioned, that effort does not rather reflect that situation and help to crystallize it. There, we believe, we find food for useful thought at this dawn of the Disarmament Decade, if it is to live up to the hopes placed in it by our Secretary-General and most of the delegations.

It was shortly after the United Nations had set itself the task of general and complete disarmament that, by an act of irony frequent in history, the task of bringing about disarmament took the course that we now know and, deflected from the objective that had been so solemnly set for it, became devoted to the elaboration of so-called partial or collateral measures, which were, in fact, the implementation of a new policy which has been known since that time under the political name of arms control. In a world considered to be too deeply divided for true disarmament to be seriously envisaged, but where the balance of terror had been established between the two great Powers, it was a question of acting in such a way that the balance would not be upset.

² *Documents on Disarmament, 1945-1959*, vol. 1, pp. 6-7.

My delegation is very much aware of the immediate advantages that might flow from such a policy. While it cannot imagine that the Soviet Union or the United States would be tempted to take advantage of any possible nuclear superiority, it recognizes that nothing could be less propitious for the future of mankind than a breach of the strategic balance between those two great Powers. That is why my country viewed sympathetically the opening of the negotiations at Helsinki and Vienna on the limitation of strategic weapons, and sincerely hopes that those negotiations will meet with success.

But who can fail to see that the policy of the mastery of armaments, whether it is devoted to the non-proliferation of nuclear weapons, to their non-dissemination in new environments, or to the limitation of strategic weapons, tends mainly to cause the present situation to harden, and does not constitute a step towards true disarmament? This is so because, on the contrary, it postulates that, in the name of the virtues of mutual dissuasion, stockpiles of armaments can be maintained at a sufficiently high level. Is that really, as is claimed, a realistic policy, even if it is considered—at least by the two greatest Powers—as the only one possible under present conditions? Is it not rather characteristic of the realism which the representative of Brazil described as being fraught with dangers? For who would doubt the precarious nature of a balance that is always at the mercy of a technological breakthrough, a mistake in calculation, even an adventurous decision, as a monopoly of armaments would not necessarily ensure a monopoly of wisdom, even in the case of the most sophisticated weapons.

Moreover, the policy of armaments control adds to the risk of an unavowed renunciation of nuclear disarmament that of a certain sharing of power between the States responsible for the balance—a sharing or distribution which Mr. Maurice Schumann denounced recently from the rostrum of the United Nations General Assembly, and which he declared would, if we are not careful, perpetuate the division of the world.³

It is not the nuclear weapon that has brought about that division, but it helps to maintain it, as indeed it also permits localized conventional conflicts to be prolonged endlessly. This is one more reason, together with that of the frightful dangers which it represents, for our desiring true nuclear disarmament, something my country has been calling for since 1960. It is that disarmament which, to my delegation, still takes priority over everything else. Let action on it be taken—that is, let all nuclear Powers, without exception, agree, according to the wish expressed by France, to prohibit the manufacture of the weapon and to eliminate the stockpiles, without forgetting the problem of vehicles and of delivery. Then, and only then, will the undertaking of general and

³ A/PV.1842 (prov.), Sept. 18, 1970, pp. 51-52.

complete disarmament have its full meaning. Accordingly, conventional disarmament measures, highly desirable heretofore, but which in present circumstances, could be judged to be discriminatory towards non-nuclear Powers, would then be imposed without doing umbrage to anyone, as the necessary counter-balance for the imbalances which nuclear disarmament might entail.

My delegation is in no way unaware of the difficulty and immensity of the task thus set for us, but it considers that nothing else can provide a real way out of a situation unanimously denounced as dangerous, the solution of which, it seems to us, should be sought for the time being along lines which, despite certain appearances, rest on a concession to the very evil that we want to uproot. If the course that we believe proper is adopted, then my country would willingly renounce the nuclear means it has provided itself for its defence, and would work towards the building of a world where security would no longer rest on force. Until these prospects open up, my country can only maintain its freedom of judgement *vis-à-vis* partial measures which, despite the good faith of their authors, only too often threaten to constitute false fronts, leaving the impression that the worst has been avoided, whereas only the hypothetical dangers are set aside in principle, and the same sword of Damocles still hangs over our heads. My country cannot subscribe, in particular, to any measures which, in view of this state of affairs, would compel it to rely on others in order to ensure its own safety in case of danger, thus mortgaging its own independence.

These conclusions do not lead my country to remain indifferent to the initiatives undertaken within the framework of the policy of arms control. On the contrary, we are following developments closely, even if they do not always seem to be as important as is sometimes claimed. In the absence of genuine nuclear disarmament, we have demonstrated our sympathy for the denuclearization of Latin America, and we gave assurances to its sponsors at a time when the Tlatelolco Treaty was not yet concluded.⁴ In the General Assembly, through our representative, we have indicated our intention to behave, with respect to the problem of non-proliferation, like the other nuclear Powers signatories of the Treaty.⁵ Our abstention was intended to indicate only that there might be a grave danger if the commitment entered into by non-nuclear Powers were to weaken the feeling of responsibility of the former in regard to genuine disarmament. We also supported the Treaties on Antarctica⁶ and on space⁷, having participated in their negotiation, and which involved the well-known non-militarization clauses.

⁴ The Tlatelolco treaty appears in *Documents on Disarmament*, 1967, pp. 69 ff. For the French views, see COPRI/DAL/47.

⁵ See *Documents on Disarmament*, 1968, pp. 429-431, 461-465.

⁶ *Ibid.*, 1945-1959, vol. II, pp. 1550-1556.

⁷ *Ibid.*, 1967, pp. 38-43.

I have thus indicated the care with which France has considered the problem of the non-militarization of the sea-bed and the question of banning the manufacture of chemical and biological weapons, which, I would state, if it should one day receive a favourable solution, would obviously constitute a measure of genuine disarmament.

The ban upon the emplacement of nuclear weapons on the sea-bed certainly constitutes in itself a praiseworthy measure which, in particular, could prevent the two great Powers—which are the only ones that really have the means to do so—from extending their arms race to that area.

However, the proposed Treaty⁸ does not satisfy us. It proceeds, we might recall, from the principle unanimously recognized by the General Assembly since 1967, that the sea-bed should be used exclusively for peaceful purposes. Yet it applies that principle only in part, while at the same time not taking sufficient account, we believe, of the right of defence of coastal States of the ocean floor off their coasts (resolution 2340 (XXII)).⁹

We would be in favour of a treaty which would provide not for the denuclearization but for the total demilitarization of the sea-bed, beyond that reserved zone.

As for the zone itself within which only the coastal State would have the right to exercise its military activities with a view to organizing its defence at its own will, we believe that it should extend over the deep-sea bottom, off its coasts, to a limit which remains to be defined, it being understood that its width would not at any point be less than twelve miles.

These are the broad outlines of an agreement on the non-militarization of the sea-bed which we could support. It would still have to be accompanied by satisfactory control measures. However, on this point the draft before us does not satisfy us either. My delegation notes that, despite the changes made in last year's draft,¹⁰ the present draft continues to leave to national means of observation the business of effecting the necessary verification and does not, in conformity with the wish that was generally expressed by the international community, provide for a genuinely international control system.

But it is obviously a system of that kind which would also have to be applied to any possible agreement banning the manufacture of chemical and biological weapons.

My country, which considers that the ban on the use of these weapons was satisfactorily and definitively dealt with by the 1925 Protocol¹¹ and which can therefore only associate itself with the fervent hope expressed by our Secretary-General that all States concerned should accede to it and fully accept its universal

⁸ *Ante*, pp. 475-479.

⁹ *Documents on Disarmament*, 1967, pp. 727-729.

¹⁰ *Ibid.*, 1969, pp. 507-509.

¹¹ *Ibid.*, pp. 764-765.

obligations, was one of the first to suggest that the manufacture of the weapons in question should likewise be prohibited. This was made clear in the reply which it addressed on 12 [19?] August 1968¹² to the Soviet memorandum on disarmament of 1 July in the same year.¹³ We should, nevertheless, like to state here and now that any ban on manufacture should be the subject of strict international control. This obviously remains our view.

While not concealing from ourselves the difficulties of the problem, my delegation does not see how dissociating biological weapons from chemical weapons could facilitate a solution. No matter how horrible the former may be, a horror which was rightly emphasized by the United Kingdom representative, the use of the latter is perhaps more probable and there would be reason to fear, that if they were not dealt with together with biological weapons, that any solution concerning them would be postponed indefinitely.

On the other hand, my delegation has noted with interest the idea advanced by the representative of Japan that experts might be consulted on the problems relating to the control of chemical and biological weapons.¹⁴ For its part, my delegation would gladly associate itself with any draft which would ask the Secretary-General to convene a group of experts under his high authority, as he has done in the past for other studies involving disarmament, to prepare for the next session of the General Assembly a report on all the questions raised by the control of a ban on the manufacture of chemical and biological weapons. The complexity and the importance of the problem require it to be dealt with with the utmost possible objectivity, and setting aside any particular draft agreement.

These are the considerations which will guide my delegation during the course of the debate. If some of these considerations point to pessimistic conclusions none betokens a lack of faith in an enterprise whose definitive failure would render vain all our other efforts for peace and security. Unless we imagine man consenting to his own destruction, this enterprise is bound to succeed sooner or later. May we, nevertheless, in order to hasten it, keeping in mind the moving declaration on peace and disarmament that five Nobel prize winners have presented for our reflection, achieve the change of attitude which it requires.

Peruvian Amendments to the Thirty-four Power Draft Resolution and the Sea-Bed Treaty, November 10, 1970¹

1. Amend the third preambular paragraph to read as follows:

¹² *Ibid.*, 1968, pp. 584-586.

¹³ *Ibid.*, pp. 466-470.

¹⁴ *Ibid.*, 1969, p. 412.

¹ A/C.1/L.528, Nov. 10, 1970. The thirty-four power resolution and the treaty appear

"Recognizing that it is in the general interest of mankind to ensure that the sea-bed and the ocean floor are used exclusively for peaceful purposes,".

Draft Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-bed and the Ocean Floor and in the Subsoil Thereof

2. *Preamble*

(a) Amend the first paragraph to read as follows:

"Recognizing that it is in the general interest of mankind to ensure that the sea-bed and the ocean floor are used exclusively for peaceful purposes,"²;

(b) Amend the second paragraph to read as follows:

"Considering that the exclusion of a nuclear arms race on the sea-bed and the ocean floor serves the interests of maintaining world peace, reduces international tensions, strengthens friendly relations among States, and helps to preserve the marine environment from the dangers of contamination by radio-active substances or other agents of mass destruction,"³;

(c) Delete the third paragraph.⁴

3. *Article I*⁵

(a) In paragraph 1, second and third lines, delete the words "beyond the outer limit of a sea-bed zone as defined in Article II";

(b) Delete paragraph 2;

(c) Renumber paragraph 3 accordingly.

4. *Article II*

Delete.

ante, pp. 558-559. On Nov. 17 the Mexican representative suggested rephrasing par. 1 of the Peruvian amendments to read, "Recognizing the common interest of mankind in the reservation of the sea-bed and ocean floor exclusively for peaceful purposes" (*post*, p. 608). This change was accepted by the Peruvian, U.S., and Soviet representatives (*post*, pp. 608-610) and unanimously approved by the First Committee at the same meeting. The revised par. was incorporated in res. 2660 (XXV), *post*, pp. 680-681. As indicated below, the other Peruvian amendments were voted on in parts and rejected by the First Committee on Nov. 17.

² This subpar. was rejected by a vote of 42 to 18, with 35 abstentions.

³ This subpar. was rejected by a vote of 45 to 14, with 37 abstentions.

⁴ This subpar. was rejected by a vote of 47 to 6, with 37 abstentions.

⁵ Pars. 3-6 were rejected by a vote of 54 to 6, with 39 abstentions:

In favor: Ecuador, El Salvador, Guyana, Peru, Senegal, United Republic of Tanzania.

Against: Australia, Austria, Belgium, Bulgaria, Burma, Byelorussian S.S.R., Canada, Czechoslovakia, Denmark, Dominican Republic, Ethiopia, Fiji, Finland, Greece, Haiti, Hungary, Iceland, India, Iraq, Ireland, Israel, Italy, Japan, Jordan, Lesotho, Liberia, Luxembourg, Madagascar, Malaysia, Malta, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Poland, Romania, Singapore, South Africa, Sudan, Sweden, Syria, Togo, Tunisia, Turkey, Ukrainian S.S.R., U.S.S.R., U.A.R., U.K., U.S., Yugoslavia.

Abstaining: Afghanistan, Algeria, Argentina, Brazil, Burundi, Cambodia, Cameroon, Chad, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, France, Ghana, Guatemala, Indonesia, Iran, Ivory Coast, Jamaica, Kenya, Kuwait, Lebanon, Libya, Malawi, Mexico, Panama, Paraguay, People's Republic of the Congo, Philippines, Portugal, Sierra Leone, Spain, Thailand, Uganda, Uruguay, Venezuela, Zambia.

5. *Article III*

(a) Amend paragraph 1 to read as follows:

"In order to promote the objectives of and ensure compliance with the provisions of this Treaty, each State Party to the Treaty may request verification through observation of the activities of other States Parties to the Treaty on the seabed and the ocean floor and in the subsoil thereof, provided that observation does not interfere with such activities and is carried out with the consent of the coastal State concerned in respect of any area which is under its jurisdiction.";

(b) In paragraph 6, fourth and fifth lines, replace the words "with respect to the exploration and exploitation of their continental shelves" by the following: "in areas which are under their maritime jurisdiction."

6. *Article IV*

In the third and fourth lines, delete the words "including the 1958 Convention on the Territorial Sea and the Contiguous Zone,".⁶

Statement by the Romanian Representative (Diaconescu) to the First Committee of the General Assembly, November 11, 1970¹

The Romanian delegation attaches all due importance to the present debate on disarmament, the first on this subject since the adoption during the twenty-fifth anniversary of the United Nations of the important Declaration in which all Governments are called upon

... to renew their determination to make concrete progress towards the elimination of the arms race and the achievement of the final goal—general and complete disarmament under effective international control.²

Among the problems now under discussion in this Committee, we should like to devote our statement today to the question of the "Economic and social consequences of the armaments race and its extremely harmful effects on world peace and security", an item included in the agenda of the present session on the proposal of Romania.

That approach is based on the conviction, expressed in the explanatory memorandum submitted by my country, that thorough consideration—with the wide participation of States—of all aspects of the complex phenomenon of the armaments race, as well as of all its consequences, would facilitate a better under-

⁶ 15 U.S.T. 1606.

¹ A/C.1/PV.1756, pp. 4-21.

² A/RES/2627(XXV), Oct. 24, 1970.

standing and a comprehensive evaluation of the harmful effects of the increase in armaments at all levels and of the great dangers with which it is fraught, and would make it possible to draw conclusions on the basis of which practical measures could be devised to slow down and halt this senseless competition without any further delay.

In the constructive spirit that marks Romania's participation in the international disarmament efforts, we regard the debate on this item as a means of encouraging a serious, concrete and responsible analysis of the present stage and the dynamics of the arms race and, through comparison, of the results achieved during the disarmament negotiations, in order to highlight the urgent tasks in this field facing the United Nations, the Geneva Committee on Disarmament and all States and, above all, to decide on which practical measures must be negotiated without delay. Once identified, those measures will have to be put into force and translated, step by step, into reality through the persevering efforts of all States.

We note with satisfaction that the same spirit is to be observed in the statements made by a considerable number of delegations at this session of the General Assembly. Further contributions in this regard will undoubtedly be forthcoming from many representatives who intend to speak in the debates in our Committee.

If we look back over the years which have elapsed since the last world war, we notice one fact which has often been pointed out elsewhere in this body, namely, that, whereas negotiations on disarmament have led to partial agreements, with which we are all familiar and which we fully appreciate, the arms race has nevertheless continued to grow, presenting today the image of a world in which weapons of all kinds—nuclear, chemical-bacteriological and conventional—have been accumulated in gigantic stockpiles whose destructive capacity exceeds by several times the force required for the complete annihilation of mankind. And yet, the military competition continues to intensify, with far-reaching adverse consequences for the economic and social life of the peoples, for their peace and security.

Referring to the effects of armaments, the President of the Council of State of Romania, Nicolae Ceausescu, stated recently during the commemorative session of the General Assembly:

The arms race has assumed huge proportions. Military expenditure has exceeded \$200,000 million annually, producing a deeply harmful effect on the economic and social progress and on the levels of living of many peoples. Nuclear weapons are a serious danger to the very future of mankind. Under the circumstances, we believe that it is both imperative and urgent for the United Nations and all States to take most resolute action to achieve general disarmament and, first and foremost, nuclear disarmament.

The United Nations, the leaders of all States and all statesmen bear a very heavy responsibility towards mankind, towards the future of human civilization, to free the world from the burden of armaments and the nightmare of an atomic war.³

³ A/PV. 1872 (prov.), pp. 52-55.

In the economic and social field, the arms race constantly exercises deeply harmful effects, seriously jeopardizing the efforts made towards progress and the well-being of all nations, great or small, developing or developed, rich or poor. Absorbing a considerable part of mankind's wealth, of its material and human resources, which it needs so badly, the arms race is one of the burdens which weighs most heavily on the whole of mankind.

According to statistics, \$4 trillion has been wasted for military purposes from the beginning of this century until the end of the last decade. If this enormous sum had been spent for peaceful ends, it would have been sufficient to meet the nutrition needs of the whole population of the world over the same period.

What strikes us as particularly disquieting is the fact that in recent years there has been a massive increase in military expenditure both as regards the annual amount spent and in the annual rate of growth. This is eloquently illustrated by the comparative analysis of the increase in military expenditure, undertaken by the agency for the control of armaments and disarmament,⁴ as well as by other institutes doing similar research in various States. Thus the figures show that military allocations have increased from \$139,000 million in 1964 to \$200,000 million in 1969, and it is estimated that this sum will be exceeded in 1970. This means that, in a period of six years, more than a trillion dollars has been spent for arms and armed forces.

According to the same sources, the sum mentioned represents the equivalent of the income for two years of ninety-three States of the world in the process of development, with populations of more than 2,500 million.

The tendency of military budgets to increase, during the period to which we are referring, has followed closely the annual rate of growth in the world product. For example, whereas the annual increase in military expenditure over the period under review was about 7 per cent, the value of the world product increased by an average of about 9 per cent.

The ratio between world military expenditures and the sums allocated for international assistance on behalf of the developing countries reveals a completely anomalous situation.

Thus, the aid recently granted to the developing countries is estimated at about \$8,000 million per year. This sum represents less than 0.5 per cent of the gross national product of the developed countries and about 6 per cent of their military budgets. *Per capita* economic assistance furnished by the industrialized countries is about \$8.00, while the military expenditures are twenty-one times more, or \$170.00 per inhabitant.

On another level, the sums allocated by Governments for armaments are equivalent to or even greater than the funds

⁴ See *post*, pp. 733-746.

allocated to such important fields as education and medical assistance.

Thus, the world military budget in the course of the last six years has swallowed up as much money as all the Governments have spent on all forms of public education and medical care. One example seems to us to be eloquent in this regard. States now allot an average of \$100 for the education of one of the approximately 1,000 million young people of school age, while the average annual cost for a young man in military uniform is about \$7,800, or seventy-eight times as much.

The conclusions drawn by the experts from an analysis of the figures concerning the level of armaments are revealing. They show that the diversion of resources to military purposes has increased at a rate which is close to that of the increase in world production capacity, a considerable part of the world's national revenue over this past six years has been squandered on massive military expenditure—hence, unproductive expenditure—which is thus being diverted away from the urgent needs of peaceful development—the *per capita* burden of military expenditure has increased still further over the past six years.

Long-term scientific forecasts warn that unless energetic steps are taken without delay to halt the arms race, and to achieve disarmament, there is the danger that military expenditure will swallow another \$2,500,000 million in the course of the eighth decade which has been proclaimed by the United Nations as the Disarmament Decade.

In the age in which we live, which is marked by a vigorous affirmation of the right of nations to a life of freedom and dignity, the multilateral economic and social advance of all peoples is an imperative of progress and an essential requirement of world peace. The efforts to attain this major objective, which requires the mobilization of all energies and resources throughout the world, are nevertheless deprived of a considerable part of the wealth of mankind that the arms race diverts from the sphere of peaceful applications and from the pressing needs of development, to be wasted for the purposes of producing and improving means of destruction.

In addition to the enormous waste of material resources, armaments and preparations for war absorb a human potential which is as vast as it is precious: immense intellectual resources are diverted from the constructive sphere, tens of thousands of scientists and research workers, specialists and highly qualified technicians who, systematically caught and drawn into the military machinery, are prevented from putting their intelligence and knowledge to the service of the material and spiritual progress of society and its well-being.

All this is going on at a time when a good number of peoples in different latitudes and different parts of the world suffer poverty and are acquainted with malnutrition, when whole areas of the

planet are in a state of economic, social and cultural underdevelopment, deprived of the benefits of civilization in this century which has seen the conquest of outer space and the submarine regions.

Great gulfs separate peoples whose coexistence in the same age is chronological only.

The fact that large quantities of goods and valuable knowledge continue to be diverted for military purposes is having a more and more adverse effect on the economic and social life of all States, doubly injuring in the first place the developing countries where the shortage of trained personnel and material and financial resources is most felt.

On the one hand, many States are obliged in present international circumstances to increase their national efforts in the military sphere; on the other, the increase in the military budgets of the industrialized States reduces the international assistance granted to the developing countries. What could be more revealing than the fact that while truly astronomical sums are spent on arms and armies, the modest objectives of the first United Nations Development Decade have not been attained?

The freezing and reduction of States' military budgets—a proposal put forward this year by Romania in the Geneva Committee⁵—a halt to the arms race and the gradual progress towards disarmament would help to make considerable material, financial and human resources available which could serve the interests of the various peoples and help the developing countries effectively to undertake development efforts. This problem arises with particular urgency in the context of the development strategy adopted by the United Nations for the Second Development Decade.

Considered in the light of these social effects, the present-day arms race is a factor which has a disastrous influence on nations. It may be stated without fear of error that there is almost no area of social life on which the military competition has not left a deep mark. It has a negative effect on the peaceful application of the conquests of science and technology and on education and culture, preventing broad access to the results of scientific and technological research.

The maintenance of a war psychosis by imperialist circles and by arms programmes, with everything that implies in the way of material and intellectual tribute, as well as the prolonged state of insecurity created by the grave threats involved in the accumulation of ever greater means of destruction—and particularly weapons of mass destruction—directly affect not only the welfare of peoples but also their tranquility and security, thus preventing them from devoting their full creative energies to the attainment of their legitimate aspirations to peace and progress. The arms race has a direct influence on the young generation which is inspired by

⁵CCD/PV. 455, pp. 23-24.

the desire to build a world in which men, delivered from the spectre of war, will be able to enjoy fully the fruits of modern civilization.

In the present circumstances, where the conquest of science and technology constitute not only a powerful incentive to economic and social progress but at the same time a source of improvement of the existing arsenals and the development of new types of weapons, the modern arms race must be analysed with particular attention also from this angle, for it is the only one which can project the real dimensions of its negative consequences in the long term, and underline the disarmament measures which should receive priority.

Unless energetic steps are taken to stem and halt the arms race, it is today and will be also the more so tomorrow a qualitative competition *par excellence*.

As the history of recent decades attests, every new scientific discovery, from the fission and fusion of the atom to progress in chemistry, biology and radiology or the development of lasers, has been or is about to be used for the production of weapons of mass destruction, such as nuclear, chemical, biological or radiological devices, the military use of lasers and so on.

Further spectacular developments, we are told by scientists, are to be expected in the decades ahead because, impelled by research and the technology which is fostered by the revolution in materials and in the technology of production, armaments are likely to reach proportions still difficult for the imagination to grasp.

The effective remedy is to tackle without delay, animated by a determination to reach lasting agreements, the problems posed by the arms race and, in the first instance, nuclear arms and, at the same time, so as to put an end to this competition in its present phase and to erect a solid barrier which can prevent further military developments which contain the seeds of possible global conflagrations with all their unforeseeable consequences.

The acceleration of the disarmament negotiations and the increase of their effectiveness until they overtake the arms race itself is the best alternative in this regard.

A similar treatment is required for conventional weapons, whose manufacture and substantial improvement account for over half of total world military expenditures while at the same time serving as the tools of many local conflicts, involving the danger of wider wars.

The extremely harmful effects of the arms race on the peace and security of the world constitute another facet of the problems submitted by Romania for debate at this session, and they should be considered with the same attention as the economic and social effects.

Paradoxical as it may seem, the arms race, although absorbing a considerable part of the wealth of mankind, does nothing to

increase its security, nor does it strengthen world peace. Never, and particularly not in present conditions, has the accumulation of armaments solved the problems of national or international security. On the contrary, it represents a factor of tension and mistrust in inter-State relations, giving rise in turn to measures of armament on the part of other States and to counter measures which in the final analysis lead to a chain reaction, to the ever-rising spiral of armaments.

Similarly, and for symmetrical reasons, the arms race cannot strengthen peace, since the accumulation and improvement of ever greater military arsenals themselves offer the necessary instrument for breaching the peace. It is a broadly recognized truth that comprehensive security and lasting peace cannot be based on force and the instruments used to apply it, namely, weapons, but rather on the prohibition of the threat or use of force, on a halt to the arms race and on disarmament, on the establishment of a system of international relations resting not upon the precarious balance of force but on the rules of international law and, in the first instance, on strict respect, by all States and towards all States, for national independence and sovereignty, equality of rights, non-interference in domestic affairs and mutual advantage.

The struggle to put an end to the arms race and to achieve disarmament is an integral part of the struggle waged by peoples for independence and sovereignty, to ensure respect for their right freely to decide their own destiny, for peace and security, for economic and social progress.

The adoption of measures to stop the arms race and effective steps towards disarmament and the conversion for peaceful purposes of the resources and energies spent on armaments, are therefore measures which are fully in keeping with the fundamental interests of all nations of the world jointly and severally.

Before concluding this statement, my delegation would like to express the conviction that favourable conditions exist so that following a thorough debate on the effects of the arms race, and with the broad participation of States, the General Assembly can recommend certain practical actions to help mobilize efforts and the determination of international public opinion in favour of effective measures to put an end to the arms race and to achieve concrete steps towards general disarmament and, in the first instance, nuclear disarmament.

In our opinion, it seems necessary that the decision to be adopted by the General Assembly should clearly indicate the directions into which the efforts of governments and of the United Nations should be channelled in order to attain those objectives.

Particularly useful would be the preparation by an international group of highly competent experts, under the aegis of the Secretary-General of the United Nations, of a thorough report on the economic and social consequences of the arms

race and of the vast military expenditures on the world scale.

In this regard we should like to recall the valuable proposal contained in the Introduction to the Report of the Secretary-General on the Work of the Organization:

Finally, in order that the Governments and peoples of the world may be more fully informed and may better understand the issues and problems related to the continuing arms race, I would propose that a comprehensive international expert study be undertaken of the economic and social consequences of the arms race and massive military expenditures. Such a study, which would complement a similar study carried out in 1962, could delineate the implications and evaluate the effects on nations and on economies of the growing stockpiles of armaments and the increasing volume of resources being diverted from peaceful to military purposes. It would help towards a better understanding of the needs and the possibilities for reordering both national and international priorities in the decade ahead.

On the threshold of the Disarmament Decade and of the second quarter-century of the United Nations, I appeal to the Member States and to the peoples of the world to rededicate themselves to the Charter objectives of establishing and maintaining international peace and security with 'the least diversion for armaments of the world's human and economic resources'. It is my firm belief that the nations of the world cannot move away from the abyss of self-destruction and fulfil the urgent social tasks facing the rich and poor countries alike, unless they put an early end to the malignancy of the arms race, both nuclear and conventional.

If significant progress towards disarmament is to be made, Governments must put aside suspicion and mistrust and approach this subject in a new spirit. The Disarmament Decade offers opportunities to speed up the momentum of the agreements achieved during the 1960s and to utilize human creativity and economic resources so that science and technology will become a universal boon and not a bane. If the nations of the world resolve to move ahead in planning specific steps towards the goal of general and complete disarmament, they can succeed in creating a secure and better world for all mankind.⁶

The thorough consideration, correlation and synthesis of considerations, suggestions and proposals of delegations taking part in the present debate, and thorough study of the consequences of the arms race on the economic and social levels for the peace and security of the world, we believe, constitute a positive premise in that regard. The study advocated, which would be submitted to the twenty-sixth session of the General Assembly, would bring the consequences—both far-reaching and grave—of the arms race to the attention of States Members of the Organization, with a view to the adoption of concerted measures to lighten the burden and reduce the danger to mankind of the arms race.

For its part, my delegation is consulting with the delegations of other interested States with a view to submitting a joint draft resolution on the question. We express the hope that the idea of this study, which has been supported by other delegations in this debate, will enjoy broad support from Member States.

⁶General Assembly Official Records: Twenty-fifth Session, Supplement No. 1A (A/8001/Add. 1.), p. 4.

Philippine Draft Resolution Introduced in the Second Committee of the General Assembly: Economic and Social Consequences of Disarmament, November 12, 1970¹

The General Assembly,

Recalling its resolutions 1516 (XV),² 1837 (XVII),³ 1931 (XVIII)⁴ and 2387 (XXIII)⁵ on the conversion to peaceful needs of the resources released by disarmament, resolutions 2526 (XXIV) on a day for peace⁶ and 2602 E (XXIV) declaring the decade of the 1970s as a Disarmament Decade,⁷ and also Economic and Social Council resolutions 891 (XXXIV),⁸ 982 (XXXVI)⁹ and 1026 (XXXVII)¹⁰ on the economic and social consequences of disarmament,

Recalling the report of the consultative group on the economic and social consequences of disarmament¹¹ and the various reports of the Secretary-General on national studies of the subject,¹²

Aware that progress towards general and complete disarmament would release substantial resources which could be utilized for accelerating economic and social development in general and in the developing countries in particular,

Encouraged that the super powers have at least given tangible signs of recognizing that it is in their own interest, as well as in the interest of the entire world, to prevent what might become an uncontrollable escalation of the nuclear arms race,

Recalling further that the International Development Strategy for the Second United Nations Development Decade has called for a close link between the Disarmament Decade and the Development Decade,

Recognizing likewise the importance of adopting appropriate measures to ensure that the link between the Disarmament Decade and the Second Development Decade shall be fully understood and utilized in as practical and comprehensive a manner as possible,

¹ A/C.2/L.1124, Nov. 12, 1970. Colombia later joined the Philippines as cosponsor. On Nov. 19, 1970, the two countries tabled a revised version, which the Central African Republic and Cyprus cosponsored on Nov. 23 (A/C.2/L.1124/Rev.1). After further changes, the resolution was approved by the General Assembly on Dec. 11 (*post*, pp. 693-695.).

² *Documents on Disarmament*, 1960, pp. 368-369.

³ *Ibid.*, 1962, vol. II, pp. 1236-1238.

⁴ *Ibid.*, 1963, pp. 638-640.

⁵ *Ibid.*, 1968, p. 727.

⁶ General Assembly Official Records: Twenty-fourth Session, Supplement No. 30 (A/7630), pp. 32-33.

⁷ *Documents on Disarmament*, 1969, pp. 713-715.

⁸ *Ibid.*, 1962, vol. II, pp. 697-699.

⁹ *Ibid.*, 1963, pp. 279-281.

¹⁰ *Ibid.*, 1964, pp. 326-327.

¹¹ *Ibid.*, 1962, vol. I, pp. 42-48.

¹² *Ibid.*, 1964, pp. 256-275; *ibid.*, 1965, pp. 165-168; Economic and Social Council Official Records: Forty-first Session, Annexes, Agenda Item 32 (E/4152); *Documents on Disarmament*, 1968, pp. 220-221.

1. *Requests* the Secretary-General, in consultation with such advisers as he may deem necessary to designate:

(a) To prepare a plan of action for the guidance of Member States, the specialized agencies and/or organizations in the United Nations family, the regional economic commissions and the United Nations Economic and Social Office in Beirut, as well as non-governmental organizations concerned, in order to establish the link between the Disarmament Decade and the Second United Nations Development Decade;

(b) To propose measures for the mobilization of world public opinion in support of the link between disarmament and development and thus encourage intensified negotiations towards disarmament and/or limitations of arms under effective international control;

(c) To formulate proposals which could lead to the effective use, for the social and economic development of developing countries, of an appropriate share of the resources that are released by disarmament;

2. *Requests* States Members of the United Nations, members of the specialized agencies, the International Atomic Energy Agency, the regional economic commissions and the United Nations Economic and Social Office in Beirut and non-governmental organizations concerned to submit to the Secretary-General their comments and recommendations on the matters indicated in paragraph 1 above;

3. *Requests* the Secretary-General to submit a report hereon in time for consideration by the General Assembly at the first biennial review of the implementation of the International Development Strategy for the Second United Nations Development Decade to be made in 1973.

Statement by the Mexican Representative (Garcia Robles) to the First Committee of the General Assembly: Additional Protocol II to the Treaty for the Prohibition of Nuclear Weapons in Latin America, November 12, 1970¹

My statement today will be devoted entirely to item 93 of the agenda concerning the signature and ratification of Additional Protocol II of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco).² My statement is also intended to fulfil the very honourable duty of formally submitting the draft resolution in document A/C.1/L.522, which is sponsored by the following eighteen delegations: Barbados, Bolivia, Colom-

¹ A/C.1/PV.1758, pp. 3-15.

² *Documents on Disarmament, 1967*, pp. 69-83.

bia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Paraguay, Peru, Trinidad and Tobago, Uruguay and Venezuela.³ Seventeen of these delegations are listed in the draft and the delegation of Trinidad and Tobago later joined as a co-sponsor.

The scope of this draft resolution, the contents of which, I think, are self-explanatory, and the fact that some days have already elapsed since it was first circulated—which no doubt has made it easier for members of the Committee to consider it carefully—will allow me to limit my statement merely to stressing some aspects which we believe to be essential to examination of the subject.

I shall begin by recalling that there does exist at present a nuclear-free zone, subject to a regime of the total absence of such instruments of mass destruction, guaranteed by an effective international control system. That region—the first to include densely populated territories—covers an increasingly large area which is at present about 6,600,000 square kilometres and whose population is approximately 117,000,000 inhabitants.

The existence of this zone was made possible by the establishment of the Treaty for the Prohibition of Nuclear Weapons in Latin America—or the Treaty of Tlatelolco—which in itself was the fruit of generous and persevering initiatives and efforts of the countries of Latin America that from the outset received encouragement and support from the United Nations and from the Secretary-General.

The Agency for the Prohibition of Nuclear Weapons in Latin America (OPANAL) was duly established in accordance with the provisions of the Treaty and has been in operation since 2 September 1969 when the first sessions of its supreme organ, the General Conference, began.

From the very moment when the Treaty of Tlatelolco was approved, widest praise was heaped on the document by a number of outstanding personalities all over the world and the Treaty was welcomed enthusiastically at all international meetings dealing with matters of disarmament. A mere forty days after the Treaty was opened for signature the Eighteen-Nation Committee on Disarmament welcomed the document with enthusiasm at the beginning of its 1967 session on 21 February of that year. It was then that the privilege fell to me of formally presenting the instrument in fulfilment of the mandate from the Preparatory Commission.⁴

In the debates in the First Committee during October and November of 1967—in which representatives of forty-six States of the most varied geographical zones participated, States that followed different political ideologies and economic systems—the

³ Identical with res. 2666 (XXV), *post*, pp. 689-691.

⁴ See *Documents on Disarmament, 1967*, pp. 99-103.

greatest praise was expressed regarding the work that had been carried out successfully by the Latin American States. At that time the Treaty was referred to as "an outstanding Latin American contribution", "a notable feat", "an unprecedented example", "extremely important pioneer work in disarmament" and "of exceptional success in the field of nuclear-weapon control".

In the verbatim records of this Committee I found that it was said that the Treaty was "a historic event that stresses the fact that man is beginning to think of the survival of the human race" and that it was "a bold step at a time when man is seriously concerned over his future". It was stated that the countries of Latin America "have given the world a glorious and outstanding example of how, once a decision exists, concrete steps towards peace can be taken"; that the Treaty implies "an achievement that, because of its importance, goes beyond the frontiers of the Latin American continent"; that it offers "an incomparable experience for all countries that see in the establishment of nuclear-free zones an effective way of strengthening international peace and security"; and, at the same time, stress was laid on the fact that "the Treaty of Tlatelolco has significance beyond the present: it is a historic milestone since, for the first time, nuclear-free zones are established in highly populated regions".

As a happy culmination of the debates on the Treaty of Tlatelolco, the General Assembly of the United Nations, without a negative vote, approved resolution 2286 (XXII) in which, after having expressed its "special pleasure" at the signing of the Treaty, proclaimed that the Treaty:

"constitutes an event of historic significance in the efforts to prevent the proliferation of nuclear weapons and to promote international peace and security and which, at the same time, establishes the right of Latin American countries to use nuclear energy for demonstrated peaceful purposes in order to accelerate economic and social development of their peoples".⁵

Similar praise was lavished on the Treaty at later sessions of the General Assembly and at the Eighteen-Nation Committee on Disarmament, and also at the Conference of Non-Nuclear-Weapon States which met in Geneva in 1968 and which, on 27 September 1968, adopted a resolution devoted to the general subject of the "establishment of nuclear-weapon-free zones" and which also speaks of the Treaty in very favourable terms.⁶

The Secretary-General of the United Nations, on 12 February 1967, when the Treaty was approved, stated:

"The nations of Latin America can, with ample justification, take pride in what they have wrought by their own initiative and through their own efforts".⁷

⁵ *Ibid.*, pp. 620-621.

⁶ *Ibid.*, 1968, pp. 672-674.

⁷ U.N. press release SG/SM/661, Feb. 13, 1967.

He also stressed the importance that he, personally, attributes to it by being present himself at the inauguration of the General Conference of OPANAL in September last year. In the statement he made at that time he said:

"In a world that all too often seems dark and foreboding, the Treaty of Tlatelolco will shine as a beacon of light. . . .

"The Treaty of Tlatelolco preceded the Treaty on the Non-Proliferation of Nuclear Weapons by more than a year and exceeds it in the scope of its prohibitions and its control features . . . [The Treaty of Tlatelolco] will provide an example and a precedent for the establishment of nuclear-free zones in other areas of the world."⁸

The Director-General of the International Atomic Energy Agency, Dr. Sigvard Eklund, when speaking at that same opening ceremony of the General Conference of OPANAL stated:

"The Treaty of Tlatelolco can be considered the first multi-lateral Treaty in nuclear disarmament which provides for an institutionalized and international system of control and as such, represents a decisive step towards the recognition and acceptance of international safeguards."⁹

In the light of the above, it would have appeared most natural and perfectly justified were the Treaty to have received spontaneous and immediate co-operation from all nuclear Powers that the General Assembly had called on since the initiation of the studies and negotiations with a view to the preparation of the Treaty in resolution 1911 (XVIII), adopted in November 1963.¹⁰ Unfortunately, the facts have been very different.

Obviously, the Treaty does enjoy autonomous existence and full force for States parties, even if it did not receive the support of some, or even the majority, of the nuclear Powers. But, it is equally obvious that for greater effectiveness all the nuclear Powers should co-operate in the implementation of the Treaty. And, as the non-nuclear-weapon States stated in their resolution P of 27 September 1968:

"for the maximum effectiveness of any Treaty establishing a nuclear weapon-free zone, the co-operation of the nuclear-weapon States is necessary and that such co-operation should take the form of commitments likewise undertaken in a formal international instrument which is legally binding, such as a treaty, convention or protocol."¹¹

It is doubtless for that reason that the Preparatory Committee, when drafting the Treaty, at the same time drafted an additional

⁸ A/7681, Sept. 23, 1969, p. 78, 79.

⁹ *Ibid.*, p. 82.

¹⁰ *Documents on Disarmament, 1963*, pp. 628-629.

¹¹ *Ibid.*, 1968, p. 673.

protocol, Additional Protocol II, which was intended to lead the nuclear-weapon States to agree to the following commitments:

“(a) To respect, ‘in all its express aims and provisions’, the ‘statute of denuclearization of Latin America in respect of warlike purposes, as defined, delimited and set forth’ in the Treaty of Tlatelolco;

“(b) ‘Not to contribute in any way to the performance of acts involving a violation of the obligations of article 1 of the Treaty in the territories to which the Treaty applies’; and

“(c) ‘Not to use or threaten to use nuclear weapons against the Contracting Parties of the Treaty’, . . .”¹²

These commitments are far from being burdensome and obviously there is nothing in them that in any way departs from the general obligations flowing from the Charter of the United Nations and which all Members of the Organization have solemnly committed themselves to abide by in good faith in accordance with Article 2 of the Charter.

Thus the General Assembly, in that same resolution 2286 (XXII) in which, on 5 December 1967, it welcomed “with special satisfaction” the Treaty for the prohibition of nuclear weapons, also called upon “all States possessing nuclear weapons to sign and ratify Additional Protocol II of the Treaty as soon as possible” and, the following year in resolution 2456 B (XXIII) of 20 December 1968, reiterated the appeal addressed to the aforementioned Powers by the Conference of Non-nuclear Weapon States, fully to comply with the invitation addressed to them by the General Assembly in resolution 2286 (XXII) that I have just quoted.

At present Additional Protocol II is in force for one of those Powers: the United Kingdom, and there are reasonable grounds for hope that it will soon be in force for another power: the United States, which signed it on 1 April 1968 and whose process of ratification is very far advanced.

To what I have just said, which must be a matter of satisfaction to the Assembly, we must unfortunately add that the other three nuclear Powers have not as yet even signed the Protocol.

In view of that situation and pursuant to resolution 1 (I) of the General Conference of OPANAL,¹³ the eighteen Latin American delegations that I mentioned earlier have submitted to this Committee the draft resolution contained in document A/C.1/L.522 to which I also referred before, by means of which the General Assembly would reaffirm its appeals to the nuclear-weapon States in resolutions 2286 (XXII) and 2456 B (XXIII), to sign and ratify the Protocol as soon as possible; and the General Assembly would also decide to include in the agenda of its twenty-sixth session

¹² *Ibid.*, 1967, p. 83.

¹³ *Ibid.*, 1969, pp. 447-449.

the following item: "Status of the implementation of resolution . . . concerning the signature and ratification of Additional Protocol II of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco)"; and would then request the Secretary-General "to transmit to the Governments of the nuclear-weapon States the text of this resolution asking them to keep him informed of any measures adopted by them in order to implement it."

In the light of the position of the General Assembly reflected in its previous resolutions, we hope that the draft resolution we have now submitted will also be adopted by the Assembly.

We believe such approval to be fully justified, both for the reasons that I have just outlined in this statement and for further reasons which I shall mention before concluding.

The period of approximately four years that has elapsed since the Treaty and Protocol were opened for signature on 14 February 1967 would appear to be ample for completing—with positive results, we trust—the study of those instruments which, we were told at that time, some of the nuclear Powers Members of the United Nations had undertaken.

Repeated statements have been either here or in the Disarmament Committee to the effect that support should be given to any nuclear-weapon-free zone which may be established on the initiative of the States composing that zone, even if such a zone is composed of a very small number of States or even of individual countries.

The fact is that the adoption of the draft resolution we propose would seem particularly appropriate in this anniversary year of the United Nations and particularly if we bear in mind the fact that the General Assembly itself, in resolution 2499 (XXIV) which was adopted on 31 October 1969, and which was entitled "Celebration of the twenty-fifth anniversary of the United Nations", agreed to make an appeal:

"... to all Member States to give urgent consideration to the ratification of, or accession to, a number of multilateral instruments which have been adopted, endorsed or supported by the United Nations . . ."¹⁴

and which appear in the list that the Secretary-General transmitted to Member States in document A/7712, in the third section of which the Additional Protocol II of the Treaty of Tlatelolco appears as point 3.

Basically, the resolution which the General Assembly may approve now will only be a reiterated appeal to the nuclear Powers, which seems indispensable in view of the delay on the part of many of them in complying with previous resolutions of the General Assembly and also in acting in accordance with their own

¹⁴General Assembly *Official Records: Twenty-fourth Session, Supplement No. 30* (A/7630), pp. 1-2.

declarations. It is also a renewed appeal to make those resolutions and promises a reality which Latin America has patiently awaited for almost four years, and this can be done by signing and ratifying Additional Protocol II of the Treaty of Tlatelolco.

Statement by the United States Representative (Leonard) to the First Committee of the General Assembly, November 16, 1970¹

I must first of all express our shock at the horrifying natural disaster which recently struck Pakistan. We hope, as earlier speakers have said, that the various relief activities will bring some assistance to those who have suffered these grave material losses, but we recognize that for the thousands of people who have lost families and friends there is nothing we can give but sympathy. I would ask the delegation of Pakistan to be kind enough to convey this sympathy to its sorely afflicted compatriots.

As we near the end of our general debate I wish to take this opportunity to add a few comments on the issues before us, taking into account various observations made in the debate, as well as responding to certain questions posed by earlier speakers.

First, with respect to the sea-bed treaty, the representative of Mexico, Ambassador Garcia Robles, has asked us several questions about the treaty to prevent emplacement of nuclear and other weapons of mass destruction on the sea-bed.² His first question related to the meaning of the exceptions contained in paragraph 2 of article I. He indicated that he would be grateful to receive an explanation as to the significance and scope of the exception applicable to the sea-bed beneath the territorial waters of a coastal State. I should like to provide that explanation.

The United States delegation considers that paragraph 2 of article I does not in any way affect the sovereignty, under international law, of the coastal State over its territorial waters and its sea-bed within the zone mentioned in the same paragraph and, consequently, the provisions of this paragraph leave intact and unimpaired all rights of the coastal State derived from that sovereignty. To put the matter in an affirmative manner, this provision is designed to leave unaffected the sovereign authority and control of the coastal State within such territorial sea.

The intention of the provision is simply to describe the scope of the treaty's obligations. It is, of course, fully consistent with the disclaimer clause in article IV of the treaty in that it does not support or prejudice the position of any State with respect to rights or claims related to waters off its coast, including, among other things, territorial seas.

I should like now to turn to the second question of the representative of Mexico. In his statement he quoted a paragraph

¹ A/C.1/PV.1762, pp. 33-45.

² For the Mexican questions, see *ante*, pp. 555-556. The draft treaty appears *ante*, pp. 475-479.

from my statement on 1 September 1970, at the Conference of the Committee on Disarmament in Geneva, concerning the relationship of paragraph 3 of article I to nuclear-free zones. Ambassador Garcia Robles asked if paragraph 35 in document CCD/PV.492 represented the authorized interpretation of the United States.³ I am glad to inform the representative of Mexico that indeed this statement does represent the position of the government of the United States.

I should like now to turn to another question which has been the subject of some discussion in connexion with the sea-bed treaty. This is the question of the meaning and significance of the procedures contained in article III of the sea-bed treaty regarding recourse to the Security Council. As I stated on 23 April at the Committee on Disarmament:

The procedures provided for in article III do not, of course, prejudice or limit the right of any State to apply directly to the Security Council in accordance with the provisions of the Charter of the United Nations.⁴

This statement was made in relation to the text of the treaty submitted by the United States and the Soviet Union on 23 April. After that time, a revised text was negotiated containing some modifications of article III. However, the statement which I made on 23 April remains entirely applicable to the version of the treaty submitted by the United States and the Soviet Union on 1 September. I would only add that the question of the exercise by a Member of the United Nations of its right under the Charter to apply to the Security Council is, of course, a complex question depending on a variety of legal, political and security considerations. The ability of a State to exercise its Charter right in the light of these considerations is not prejudiced by the present draft of the sea-bed treaty.

With respect to the detailed and technical legal analysis presented by the representative of El Salvador, I would only wish to make several points. As we have found in the case of the non-proliferation Treaty⁵ and other arms limitation treaties, the process of negotiating an important agreement is indeed a process of lengthy and difficult adjustment and compromise. The language which is agreed upon to accomplish our purposes can never be language conforming exactly to the preferences of any single participant. I am convinced, having listened most carefully to the remarks of the representative of El Salvador, that a treaty drafted solely by his delegation would have achieved a high standard of legal excellence. However, it has not been the privilege of any of us—not of the United States, the Soviet Union, Sweden, Nigeria, Argentina, nor any other participant in the negotiations—to draft a

³ *Ante*, p. 556.

⁴ *Ante*, p. 183.

⁵ *Documents on Disarmament, 1968*, pp. 461-465.

treaty to conform to its own individual standards. This is simply an inescapable fact of international negotiations.

This does not mean that we believe the present treaty is defective. We are convinced that the drafting of the treaty is adequate to accomplish its purpose. We are further convinced that the treaty cannot be misunderstood to the detriment of any participant. Any complex set of clauses can always be construed as containing implications at variance with the clear intention of the document as a whole. But in the case of this treaty, we believe that a fair reading of its provisions can result only in a fair and practical application of its obligations. It seems to us—and here I address all the members of this Committee—that all of the delegations which have worked so hard for more than a year at the Committee on Disarmament to achieve a fair, practical and balanced result, and who now support the present draft, join with us in reaching this conclusion.

To add one more specific point, I should like to stress that there is simply no possibility of prejudice to any country's interests as a result of this treaty. Article IV, the disclaimer clause, was the object of particular scrutiny and gradual improvement throughout our negotiations. Although perhaps alternative formulas would have been found possible, even for this article, we believe that the present clause is now both broad enough and specific enough to provide reasonable assurance to all that this treaty cannot be misused by any State to advance positions in areas beyond the purview of the treaty. We are pleased that a number of delegations that are concerned with the question have specifically spoken to this effect in our debate.

With respect to the amendments submitted by Peru,⁶ it is to be noted that some of them touch upon very basic questions which were the subject of extensive negotiations and compromise at the Committee on Disarmament. For example, as we understand the Peruvian amendments, they would make the prohibitions of the treaty extend from the coastline of one State to the coastline of every other State. This is a proposal that was, in fact, considered in the early stages of negotiations in Geneva. There were other proposals as well regarding the geographic scope of the treaty. The United States proposed, in the initial stages, that the exempted sea-bed zone should be three miles,⁷ the Soviet Union proposed that it should be twelve miles,⁸ and some participants in the negotiations proposed that there should be broader defensive zones, with special rules applicable to these areas. The present provision is therefore a compromise which takes into account a complex of security, legal and political considerations.

We would not make progress by endeavouring to reopen compromises which have already been reached: indeed, nothing

⁶ *Ante*, pp. 568-570.

⁷ *Documents on Disarmament*, 1969, p. 212.

⁸ *Ibid.*, p. 112.

would be gained, and much would be lost, should we attempt to renegotiate the provisions arrived at with such care and effort and with the participation of all Committee on Disarmament members and many members of this Committee who contributed suggestions at last year's General Assembly.

In the light of these considerations, I must state to the representatives of both El Salvador and Peru that it remains our view that the most practical and constructive course of action is to proceed with the treaty in its present form.

Finally, I should like to restate an important point which arose during the General Assembly's consideration of the non-proliferation Treaty. At that time, in 1968, many delegations inquired whether an affirmative vote for the resolution commending the non-proliferation Treaty⁹ would in any way bind their Governments either to sign the non-proliferation Treaty or subsequently to become a party. It was then established that an affirmative vote stood in effect for only one simple proposition; that is, the treaty should be opened promptly for signature.

The situation is identical with respect to the seabed treaty. We hope, of course, that favourable action here on the seabed draft resolution¹⁰ will encourage many Governments to make affirmative decisions to sign and become parties to that treaty. Nevertheless, we can be absolutely clear that an affirmative vote on the seabed draft resolution will not commit any Government to sign or subsequently become a party.

We are most appreciative of the comments made by a great many delegations expressing their support for the seabed treaty, which is the product of difficult and prolonged negotiations at the Conference of the Committee on Disarmament. It seems to us encouraging that many delegations in our debate have recognized the importance of this treaty, and its beneficial influence on arms control negotiations and on international relations as a whole.

When the draft resolution now co-sponsored by thirty-seven delegations comes to a vote in the next few days, we hope that as many delegations as possible will join with those thirty-seven co-sponsors in taking the clearly affirmative step of helping to see that this treaty is promptly opened for signature.

Several delegations have suggested that this Committee should take action on the comprehensive disarmament programme which was called for in resolution 2602E (XXIV),¹¹ and to which the Conference of the Committee on Disarmament devoted considerable attention this past year. Specific actions suggested have ranged from referring the question to Geneva for further consideration to the adoption by this Committee of a specific programme as a guideline for further disarmament negotiations. It is

⁹ *Ibid.*, 1968, pp. 431-432.

¹⁰ *Ante*, pp. 558-559.

¹¹ *Documents on Disarmament*, 1969, pp. 713-715.

indeed a difficult question how we ought to proceed in the light of the many complex considerations that we all know are present. In an effort to advance a practical solution which we hope could gain wide acceptance, I would like to outline an approach that my delegation is prepared to support.

We believe that a draft resolution regarding the question of a disarmament programme should state clearly the importance of making more intensive efforts to bring about a faster pace toward our disarmament goals. This, after all, was the motivation of all of us when last year the General Assembly established the 1970s as a disarmament decade and called for a programme to help in our efforts. Second, we believe due appreciation should be expressed for the important and constructive contributions which have been made by delegations at the Conference of the Committee on Disarmament in Geneva. Third, we would be prepared to support a draft resolution which appropriately takes note of the documents presented by various delegations in Geneva and asks the Conference of the Committee on Disarmament to take them into account in its future deliberations. I refer particularly to the documents submitted on 24 February 1970, by the Netherlands¹²; on 19 August by Italy¹³; and on 25 August by Mexico, Sweden and Yugoslavia¹⁴. Finally, we believe the draft resolution should expressly leave open the possibility of further disarmament programme suggestions.

If we can agree to take this action, we will have fulfilled the objective of resolution 2602E (XXIV), in that we will have valuable and well-thought out documents bearing on a disarmament programme which will have been considered by the General Assembly. However, at the same time as we take action with respect to these documents, we need to recognize that the entire question of a programme is not a static concept. Programmes must evolve as the international situation develops and as there is further progress in disarmament. An overall programme should, therefore, be conceived of as a continuing process whereby useful concepts and guidelines are formulated and considered in order to assist the Conference of the Committee on Disarmament in its work.

We need to encourage and stimulate every helpful idea on the disarmament programme that may come at any time from any delegation. In order to avoid the risk of division, when we really need consensus, we should not take action on only one of the documents presented this year at the Conference of the Committee on Disarmament. At the same time, we should leave open the possibility of further constructive suggestions in the future. We

¹² *Ante*, pp. 59-63.

¹³ *Ante*, pp. 440-445.

¹⁴ *Ante*, pp. 459-465.

believe a resolution based on these concepts would constitute a constructive, positive action at the General Assembly.

As I have noted above, all of us fully share the desire of the Philippine delegation to speed up progress in the disarmament field. We believe, however, that the proposal for a new committee would not be conducive to such progress. On the contrary, it could have a negative effect on negotiations, since its activities would inevitably compete with and duplicate the functions of existing bodies. At the very best, it would be a wasteful and unproductive exercise. At worst, it would be harmful to disarmament prospects.

Ambassador Yost has already pointed out here, in his statement of 2 November,¹⁵ that the disappointingly slow pace at which we are registering disarmament agreements reflects a fact of international life—the fact that such agreements are inherently difficult to achieve—and this situation cannot be altered by establishing more committees. If the Philippine delegation's idea were presented for action, we would, I regret, be compelled to vote negatively.

My delegation is gratified to note that the Canadian initiative for a study of international seismic data exchange as a possible element in the verification of an underground test ban has attracted the interest and co-operation of a substantial number of United Nations Members. We will, of course, be prepared to support draft resolution A/C.1/L.529 on this subject, submitted by Canada and thirty four co-sponsors.¹⁶

Three draft resolutions have been submitted on the subject of chemical and biological weapons. One of those draft resolutions, submitted by the United Kingdom,¹⁷ would ask the Conference of the Committee on Disarmament to get back to work more urgently and to take into account all of the major proposals and approaches—that is to say, the United Kingdom draft treaty to ban biological weapons and toxins,¹⁸ the socialist draft treaty to ban immediately all chemical and biological weapons,¹⁹ and the memorandum of the non-aligned members of the Conference of the Committee on Disarmament.²⁰ We believe that this is a fair draft resolution which will stimulate negotiations. And it is, after all, negotiations which we need in order to make progress. The United Kingdom draft resolution does not attempt to prejudge those negotiations, but merely to stimulate them. We therefore support it.

However, these positive comments cannot be made about the draft resolution proposed by Poland, Hungary and Mongolia.²¹

¹⁵ *Ante*, pp. 549-554.

¹⁶ Identical with pt. A of res. 2663 (XXV), *post*, pp. 685-686.

¹⁷ *Ante*, pp. 559-561.

¹⁸ *Ante*, pp. 428-432.

¹⁹ *Ante*, pp. 533-539.

²⁰ *Ante*, pp. 453-455.

²¹ *Ante*, pp. 561-563.

The operative paragraphs of that draft would, in effect, tell us what is to be the outcome of our negotiations: the socialist draft convention. Such a decision would be unsound. It would stimulate division rather than negotiation. Accordingly, we oppose that draft resolution.

A third draft resolution has just been submitted by the delegations of twelve non-aligned States.^{2 2} We have referred that draft to our capital, where it is under study.

Statement by the Soviet Representative (Roshchin) to the First Committee of the General Assembly, November 16, 1970¹

Mr. Chairman, in connexion with the great disaster that has struck Pakistan, the cyclone which devastated eastern Pakistan causing thousands of victims among the civilian population, as well as millions in material damage and destruction, the delegation of the Soviet Union would like to add its voice to your words of condolence and commiseration addressed to the delegation of Pakistan. On its part, my delegation wishes to express its heartfelt condolences, sympathy and compassion to the friendly country of Pakistan. In the name of the delegation of the Soviet Union, I should like to ask the delegation of Pakistan to transmit these feelings to its Government on the occasion of this terrible catastrophe.

Today, we are concluding the general debate on the questions of disarmament which are on the agenda of our Committee. I should like on behalf of my delegation to state that the discussion that was held in the Committee was substantive and businesslike. A large number of delegations stated their views on various aspects of the complex and important problems of disarmament. Elements of this discussion will be a useful source for future negotiations on disarmament, and they will be carefully studied by the participants in the Committee on Disarmament.

Many delegations put forward constructive ideas on many fundamental disarmament problems, as reflected in, among other things, the attention paid in our Committee to the draft treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and in the subsoil thereof, presented to the Assembly by the Committee on Disarmament.² Much has been said here about the importance of concluding this treaty for preventing the spreading of the race in nuclear weapons and other weapons of mass destruction to the sea-bed. In our statement today we should like to reiterate the important and convincing arguments expressed in the Committee on this subject.

^{2 2} Identical with res. 2662 (XXV), *post*, pp. 683-685.

¹ A/C.1/PV.1762, pp. 44-57.

² *Ante*, pp. 475-479.

The importance attached to the draft treaty on the sea-bed can be seen from the fact that thirty-six States are co-sponsoring a draft resolution of the General Assembly requesting that the treaty be approved and opened for signature.³ We hope the Assembly will adopt that draft resolution. That will be an important step towards taking the first specific measures towards demilitarization of the sea-bed.

At the meeting of this Committee on 2 November 1970 the representative of Mexico, Mr. Garcia Robles, asked two questions in connexion with the draft treaty on the sea-bed,⁴ and we intend to answer them in our statement today.

The first question, as is well known, related to the contents of article I, paragraph 2, of the draft treaty, which provides:

The undertakings of paragraph 1 of this Article . . . shall not apply either to the coastal State or to the sea-bed beneath its territorial waters.

The Mexican delegation's question amounted to a request for clarification of our understanding of that provision. In regard to that question, we should like to note that no interpretation of paragraph 2 of article I would in any way prejudice, in our view, the sovereignty of a coastal State in connexion with its territorial waters and the sea-bed beneath those waters within the 12-mile zone mentioned in that paragraph. Therefore that provision must be interpreted as embodying the intangible rights of all coastal States arising from such sovereignty under international law. Furthermore, one must be mindful of the fact, in our view, that article IV of the draft treaty on the sea-bed specifically states that the treaty in no way prejudices the rights or claims of the coastal States in matters of territorial waters. As has already been stated, the treaty relates only to problems concerning the matter of the demilitarization of the sea-bed.

The second question of the Mexican delegation related to the scope provided for in paragraph 3 of article I in connexion with the nuclear-free zones referred to in article IX. The Mexican delegation in the course of meetings of the First Committee again put forward the proposal it made at the twenty-fourth session of the General Assembly, under which the article on nuclear-free zones would contain an undertaking by States parties to the treaty not to contribute to the commission in the zone referred to in article I of acts involving a violation of the obligations undertaken by those parties under an agreement on nuclear-free zones.⁵ In regard to that proposal, the Mexican delegation asked us whether the clarification offered by the Soviet delegation at the 492nd meeting of the Committee on Disarmament remained valid. In that statement the Soviet delegation, in reference to the aforementioned Mexican proposal, referred to paragraph 3 of article I,

³ *Ante*, pp. 558-559.

⁴ *Ante*, pp. 555-556.

⁵ A/C.1/995, Dec. 1, 1969.

which contains an obligation not to induce other States to carry out activities prohibited by the treaty. We said that we interpreted that paragraph in such a way that it fully covered the Mexican proposal and did not allow the activities mentioned in the proposal.⁶ In answer to the question of the Mexican delegation, we wish to confirm that the clarification given by us at that meeting of the Committee on Disarmament remains fully valid and is the official position of the Soviet Union.

Important and difficult work was carried out by the members of the Committee on Disarmament in Geneva on the preparation of a draft treaty on the sea-bed. That has been noted by many representatives here, and, taking into account the results of that work, which have been welcomed by the majority of the participants in this discussion, one can conclude that the Committee did a great deal to carry out the task entrusted to it by the General Assembly at the last session.

The Soviet Union regards the treaty on the prohibition of the emplacement of weapons of mass destruction on the sea-bed and the ocean floor as but a first step towards complete demilitarization of the sea-bed. We intend to adopt a most serious approach in the matter of carrying out the obligation contained in article V of the draft treaty, to continue negotiations in good faith concerning further measures in the field of disarmament for the prevention of an arms race on the sea-bed, the ocean floor and the subsoil thereof.

For this reason we attach great importance to the proposal made in the Committee on Disarmament by the Polish People's Republic that the question of the demilitarization of the sea-bed should remain on the agenda of the Committee of Disarmament.⁷

One of the key problems touched upon in the First Committee's discussions was the question of the prohibition of chemical and bacteriological weapons. We should like again to draw the attention of all delegations to the extreme importance of this international problem from the point of view of the strengthening of international peace and security and to draw attention also to the important initiative taken by nine socialist countries, expressed in a document presented to the present session of the United Nations General Assembly: the revised draft convention on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and the destruction of such weapons.⁸

Our colleagues, the representatives of Hungary, Mongolia and Poland, as well as of other socialist countries, in the general debate in this Committee furnished detailed explanations of the changes made by the co-sponsors of the draft convention to the revised

⁶ *Ante*, p. 483.

⁷ CCD/PV. 471, p. 7.

⁸ *Ante*, pp. 533-537.

text. Those changes relate to important problems of international co-operation in the fields of chemistry and biology, control over implementation of the convention and, finally, the scope of the convention. The introduction by the socialist countries of their revised draft convention on the question of chemical and bacteriological means of warfare is indicative of their businesslike and practical approach towards consideration of this important and most urgent international problem which is still awaiting a solution. This approach is confirmed by the fact that the socialist countries, as they have done before, insist in this Committee on the need for a joint solution of the problem of prohibiting chemical and bacteriological weapons simultaneously and completely, without any exceptions. The Soviet Union is deeply convinced that it is only with such a solution of the problem that full prohibition of chemical and bacteriological means of warfare and their elimination from the military arsenals of States can be ensured.

The statements of many delegations here in the First Committee in favour of the complete prohibition of all means of chemical and bacteriological warfare once again convinces us of the correctness of the approach of the socialist countries towards the solution of the problem of the full prohibition of chemical and bacteriological weapons.

We consider that during the consideration of this matter one must also bear in mind the need to continue the work started with the conclusion of the Geneva Protocol of 1925 prohibiting the use of such substances in war.⁹ The convention under discussion must be based on the solid foundation of that Protocol. If we stray from that principle and if we agree to the proposal of the western delegations, that is to say, to prohibit only biological weapons, we would undermine the Geneva Protocol, we would weaken its effectiveness and thus pave the way for the wider use of chemical means of warfare. This would have far reaching and extremely dangerous consequences.

The twenty-fourth session of the General Assembly last year also dealt at length with the problem of chemical and bacteriological weapons. As a result of that discussion, a procedural resolution was adopted, which transmitted all documents presented to the General Assembly and all ideas expressed at its meetings to the Conference of the Committee on Disarmament. Our delegation, like those of many States, considers that this year we must forge ahead along that road and adopt a resolution which would give the Conference of the Committee on Disarmament a more substantial recommendation, defining the direction in which the members of the Committee must work in the future. We consider that this idea is fully reflected in the draft resolution of Hungary, Mongolia and Poland presented to the members of the Committee.¹⁰

⁹ *Documents on Disarmament*, 1969, pp. 764-765.

¹⁰ *Ibid.*, pp. 561-563.

Passing now to the question of general and complete disarmament, we would like to express our satisfaction at seeing that this problem has attracted much attention among delegations to the General Assembly. Representatives of many countries who took part in the debate on disarmament expressed their concern at the absence of progress towards the solution of this important problem and insisted on the need to devote more effort to achieving tangible disarmament results. Many delegations came out in favour of working out a large scale disarmament programme. We should like to confirm the position that we explained during our statement on 2 November of this year in this Committee.¹¹

In principle the Soviet Union does not object to working out a comprehensive disarmament programme consonant with the need to put an end to the arms race and to reach agreement on urgent measures in this field. One must understand, at the same time, that working out such a programme is a very complex and difficult task requiring considerable effort and multilateral consultations if we wish this programme to be substantial and realistic and if we want it to be in the interests of the security of various States and of international security as a whole.

During the meetings of the Conference of the Committee on Disarmament this year, many participants came forward with different proposals relating to the contents of such a programme. Those proposals and ideas are enumerated in the report of the Conference of the Committee on Disarmament to the General Assembly, document A/8059.¹² Therefore, we do not intend to enumerate all those proposals presented to the Committee on Disarmament on this matter.

The members of the First Committee showed much interest in the document presented by the delegations of Mexico, Sweden and Yugoslavia, presented to the Conference of the Committee on Disarmament in the latter stages of its summer session. That document was entitled "Draft comprehensive programme of disarmament".¹³ Some delegations put forward the idea that it would be possible to adopt this draft as a programme for future disarmament negotiations.

We therefore deem it necessary to explain the position of our delegation in this matter. We have the highest opinion of the initiative and the efforts made by the authors of that draft in its preparation as well as their desire to make a contribution to the disarmament programme. However, we consider that it would be extremely inappropriate at present to decide that any concrete document, including the draft of the three countries, be adopted as a single programme for disarmament negotiations already agreed upon by all States.

¹¹ *Ante*, pp. 537-549.

¹² *Ante*, pp. 500-516.

¹³ *Ante*, pp. 459-465.

As we have already stressed, the preparation of a large-scale disarmament programme requires great efforts. An exhaustive approach must be adopted. A wide range of proposals and draft programmes of disarmament must be studied as well as measures adopted in this field. What is required is an exhaustive analysis of specific and general problems of disarmament and their relationship to the need to ensure international security, as well as a careful elaboration of various stages of such a programme.

A disarmament programme can be significant only if it is based on multilateral consultations among many States—in fact all the main groups of States which take part in the work of the United Nations and the Conference of the Committee on Disarmament. If that requirement was not met, any disarmament programme could become a document with very little effect.

The Soviet Union is in favour of a programme for general and complete disarmament. During disarmament negotiations and consideration of the matter of disarmament programmes, we are ready to pay due attention to proposals contained in the document of the three States but we cannot consider it as a prepared and generally acceptable basis for disarmament negotiations, as an all-embracing programme for such negotiations, or as a guideline for such negotiations, since this document, in our view, does not meet the vital requirements mentioned above and contains some provisions which are obviously unacceptable to one group of States and other provisions which are obviously unacceptable to another group.

During the debates in the First Committee on the matter of disarmament, delegations paid a great deal of attention to the problem of the prohibition of all nuclear-weapons tests, including underground tests. May I remind you that the Soviet Union is in favour of a complete and exhaustive solution to this very important and timely problem. We have often stated our views on this problem: that the prohibition of underground tests can be achieved on the basis of recourse to national means of detection and respect by all countries of their obligations. Requirements or demands for on-site inspection for such verification only blocks agreement. The USSR declares that it is ready to make its contribution to the speedy achievement of an agreement on the prohibition of underground nuclear-weapons tests. At the same time we consider it inappropriate that the solution of the problem of the prohibition of underground nuclear-weapons tests be replaced with a series of studies and investigations in the field of seismology.

If agreement is reached to prohibit tests on the basis of recourse to national means of detection, the Soviet Union—as we have said many times—is ready to take part in a large-scale international exchange of seismic data. We are already taking an active part in such exchanges at present. But, to achieve agreement on such a prohibition for nuclear-weapons tests underground, it is necessary

above all to take the necessary political decision, as we have pointed out many times in the Conference of the Committee on Disarmament and at many sessions of the General Assembly.

Such are our views on some matters touched upon in the debates in the First Committee relating to the problem of disarmament. On many other problems we intend to state our views when we come to a consideration of the various draft resolutions pertaining to the different points on the agenda under the general item of disarmament.

Statement by the Peruvian Representative (Arias Schreiber) to the First Committee of the General Assembly: Draft Sea-Bed Treaty, November 17, 1970¹

My Government read with great attention and interest the contents of the report of the Conference of the Committee on Disarmament, dated 11 [3] September 1970,² referring to the draft treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and in the subsoil thereof,³ and examined carefully the draft treaty annexed to the report.

On this point, the Peruvian Government considers most commendable the work done by the delegations that participated in that Conference, and most praiseworthy the spirit that moved them to try to prevent the nuclear arms race from being spread to the sea-bed and ocean floor. In so doing they have contributed to the maintenance of world peace.

However, my Government believes that that draft treaty contains a reservation which does not meet the aspirations of mankind for a total prohibition of the manufacture and use of that type of weapons or at least that their installations and use in the sea as a whole should be barred so as to avoid any dangers of contamination or disturbance of its ecological balance. That reservation is the one under which the coastal State would be entitled to set up nuclear weapons or other weapons of mass destruction within a twelve-mile zone opposite the coast.

The endeavour to legitimize that zone is contrary to both the world and the regional commitments that many States, including Peru, have assumed to prohibit the manufacture, possession, emplacement or use of such weapons, even within their jurisdictional or territorial waters.

In point of fact, in its resolution 808 (IX), adopted in 1954, the General Assembly of the United Nations unanimously approved as one of the points for a co-ordinated disarmament programme

¹ A/C.1/PV.1763, pp. 4-11.

² *Idem*, pp. 500-516.

³ *Idem*, pp. 475-479.

... the total prohibition of the use and manufacture of nuclear weapons and weapons of mass destruction of every type⁴

The nuclear test-ban Treaty signed in Moscow on 5 August 1963 prohibited such tests under water, including the territorial sea, in order to eliminate any incentive to produce this type of weapon and contaminate man's environment by radioactive substances.⁵ It is obvious that to leave free a zone where such weapons can be installed does not eliminate that incentive nor does it avert the danger of contaminating the sea.

Furthermore, consistent with a position of principle, the Latin American countries, in the Treaty of Tlatelolco signed in Mexico on 14 February 1967, agreed to prohibit and prevent in their territories—and that includes the territorial waters—the receipt, storage, installation, deployment and any form of possession of any nuclear weapons, directly or indirectly, by the parties themselves, by anyone on their behalf or in any other way.⁶

Obviously, the Peruvian Government is not challenging the right of coastal States to utilize submerged areas that are under their maritime jurisdiction for purposes that may include those of national defence and security, such as in the case of setting up apparatus or stations to detect suspicious manoeuvres or repel surprise attacks. But we do believe that some international agreement should be arrived at whereby such utilization would be limited to conventional weapons that would exclude any nuclear weapons or other weapons of mass destruction, which, if resorted to at all, should be confined to the coastal territories of the countries concerned and not be installed in the sea-bed. This should be done in order to meet two concrete needs: the first, because only in that way could we avoid the extension of nuclear weapons to the marine zones; and the second, because then we would eradicate the dangers that the presence of such weapons represent for the purity of the waters and for the existence of all species that live in them. Those dangers are unlimited in their scope because of the constant movement of those species.

My Government therefore considers that the reservation contained in the draft treaty constitutes, if not a step backward, a lack of progress in the effort to stem the nuclear arms race. If we really seek that latter objective, what we must do is extend the prohibition to place or use such weapons to all the sea-bed and the ocean floor, without any unjustifiable discrimination in favour of the nuclear Powers, which would be damaging to the human species and which may cause dangerous consequences to other countries, both near and far, because of the very fluidity and mobility of the marine region.

Aside from this basic objection to the reservation contained in the draft treaty, the Peruvian Government considers it unnecessary

⁴ *Documents on Disarmament, 1945-1959*, vol. I, p. 445.

⁵ *Ibid.*, 1963, pp. 291-293.

⁶ *Ibid.*, 1967, pp. 67 ff.

to refer in the draft treaty to the twelve-mile outer limit of the zone mentioned in part II of the Convention on the Territorial Sea and the Contiguous Zone, signed in Geneva on 29 April 1958,⁷ as we believe that to be a delimitation relating to an area different from the sea-bed and the ocean floor, and to which a number of countries objected.

The inclusion of that reference would appear to confirm the suspicion that the concern of the original sponsors of that draft was to establish an international precedent to support the twelve-mile limit, rather than to create an effective instrument for world disarmament, since it limits itself to prohibiting the installation of nuclear weapons where in fact today they do not exist, and to allowing them to be placed where they should not exist.

For the preceding reasons, on 10 November, in document A/C.1/L.528,⁸ my delegation submitted amendments to the draft treaty which, basically, called for the deletion of the references to the region of the sea-bed and ocean floor where nuclear weapons and weapons of mass destruction could be installed, with the resulting corrections to the preambular and operative paragraphs of the draft contained in document A/8059, annex A,⁹ as well as in the draft resolution contained in document A/C.1/L.523.¹⁰

With regard to the system of verification, we add the prerequisite of the agreement of the coastal State when the observation of the activities is carried out in a zone under its jurisdiction. That would safeguard the rights of the coastal State and avoid undue interference by any State in the territorial waters of another. And as in the present draft treaty that possibility is excluded, since investigations are only allowed beyond the twelve miles, the same reservation could be established by stipulating the need for the agreement of the respective coastal State when inspections are being carried out in the subjacent sea-beds near their territorial waters. It is not, therefore, exact to say that the prohibition against installing nuclear weapons from coast to coast would create insoluble problems for verification because of the refusal of certain States to allow the zones under their jurisdiction to be inspected. First of all, that refusal is already covered by the present draft treaty for those States that have set their twelve-mile limit, whereas it does not cover those States whose jurisdictional limits are wider. Secondly, the prerequisite of the agreement of the coastal State constitutes a safeguard that is both equivalent and sufficient to protect that State from undue interference, with the difference that it warns all States, and not only those which contend that the twelve-mile limit should be allowed. Finally, there are other ways of avoiding any attempt at abuse, one of which is to resort to an agency such as the International Atomic

⁷ 15 UST 1606.

⁸ *Ante*, pp. 568-570.

⁹ *Ante*, pp. 475-479.

¹⁰ *Ante*, pp. 558-559.

Energy Agency in the system of inspection, as provided in the Treaty of Tlatelolco.

My Government believes that the approval of the amendments we have proposed would be not only a forward but a definitive step in the exclusion of arms from the sea-bed and ocean floor in accordance with the desires and aspirations of all peoples, pursuant to the principles of the Charter of the United Nations and in keeping, too, with international instruments and resolutions that have been adopted in order to bar the use of weapons of this type, whose existence is a threat to world peace and to the survival of mankind itself.

Since the presentation of these amendments, a number of other delegations have entered serious reservations regarding certain clauses of the draft treaty which they believe should be revised for reasons other than those that I have just made known. Among them we must stress the reservations submitted with pure juridical logic by the representative of El Salvador, Ambassador Reinaldo Galindo-Pohl, on 12 November when he explained: first, that there could be no overlapping of the outside limit of the zone referred to in article I and the limit of the zone contiguous to the territorial sea, because the extensions of the territorial sea varied according to States, and because the distances also differed according to whether they were measured on the surface or on the sea-bed, because of the slant of the latter. Secondly, that the twelve-mile limit on sea-bed was not exactly the limit of the territorial waters mentioned in article I of the draft, it being a known fact that not all States had a twelve-mile territorial sea, but that it could vary between three and two hundred miles. Thirdly, that there was a contradiction between paragraphs 1 and 2 of article I, when it spoke of the zone where no one can install nuclear weapons and then it added that that did not apply to the coastal State "in the same zone", since what it should say was that it did not apply in the excepted zone, namely, in the second zone, from the twelve-mile limit to the coast. Fourthly, that there was another contradiction, and one no less grave, when in article III the term "beyond the zone" was used and not "in the zone", as it should say if it was to be consistent with the intention of the previous articles.

I do not believe that I need dwell on these and other comments that were made by other representatives. It is obvious that those doubts are far too serious and well-grounded for them to fail on deaf ears, because of an unjustifiable haste in the present moment. If, as the co-sponsors of the draft treaty themselves have recognized on a number of occasions, no one intends to set up or to install nuclear weapons on the sea-bed, then, what is reasonable, if not imperative, is openly to admit the need to revise this draft so that it will meet the interests of all States, without exception, as it should and can become the effective instrument that we all want for the benefit of mankind as a whole.

Before concluding, I want to say that the explanations given us yesterday by the representatives of the United States and of the Soviet Union regarding the draft treaty,¹¹ have contributed to re-affirm and strengthen the conviction of my delegation on the inappropriateness of making a hasty decision and allowing a document such as that proposed to us to be adopted permanently when we feel that it does not meet the general interests; when it has references, gaps and mistakes whose admission might create great difficulties and stand in the way of many States signing what should be a universal treaty.

In fact, we have only heard concrete replies to the questions that were made in the course by the representative of Mexico,¹² and even these did not receive a complete answer. According to the explanation given, paragraph 2 of article I does not prejudice the limit or the rights of the coastal States in their territorial waters, when it applies the obligations of the treaty beyond the twelve-mile zone. It should have been added that this is only valid for those States that have adopted the twelve-mile limit, whereas that paragraph is prejudicial for those States whose territorial waters go beyond the twelve-mile limit. That is clear from a reading of the article, despite the ingenious interpretations which are designed to circumvent its meaning.

Furthermore, the co-sponsors of the draft have not specifically replied to the objections of the representative of El Salvador, supported by other delegations. Their discretion in the matter is understandable in the light of the validity of the arguments adduced against them and the recognition of imperfections is laudable when there are difficult compromises at stake. But here the case would appear to be different. No one says that he disagrees with the exclusion of nuclear weapons from the entire marine environment. On the contrary, it has been clearly stated that that was the intention of the co-sponsors and that any commitment included in one of the articles to that effect would be scrupulously complied with. Nor has it been said that there is any idea of affecting the rights of the coastal States whose jurisdictional limit is beyond twelve miles. Therefore, if we are all in agreement, what are we waiting for? We should prove it once and for all, excluding those exceptions that go against the clamour of all mankind for the prohibition of nuclear weapons and the preservation of the marine environment and eliminating the unnecessary references which may give rise to reservations on the part of other States. The clear answer is the proof that we all await and trust we shall receive through the forthcoming vote.

In view of the importance of this question, both as a matter of principle and because of its implications for States' rights, I would ask that the vote on the amendment presented by Peru be taken by roll call.

¹¹ *Ante*, pp. 585-591, 591-597.

¹² *Ante*, pp. 555-556.

**Statement by the Mexican Representative (Garcia Robles) to the
First Committee of the General Assembly: Draft Sea-Bed
Treaty, November 17, 1970¹**

On 1 December 1969 the Mexican delegation submitted to this Committee a working paper which was circulated the same day as document A/C.1/995. In that document we made six specific suggestions which called for as many modifications to the draft treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and in the subsoil thereof, which at that time was circulated as document CCD/269/Rev.1 and which appeared as annex A to the report of the Conference of the Committee on Disarmament for 1969 (A/7741).²

In revision 3 of document CCD/269 which I have just cited, and which has now been circulated as annex A to the report of the Conference of the Committee on Disarmament for 1970 (A/8059),³ we find, as we stated in Geneva, that the majority of our suggestions—which, incidentally, were to a large extent similar to those presented by other delegations—have in fact been taken into account and either totally or partially included, and we feel that by any yardstick the draft treaty has thereby been considerably improved.

This has emphasized the fact that those delegations which, like my own, last year wanted a postponement of a decision on this draft—a trend which my delegation had the privilege of leading formally in this Committee—were not far wrong. Last year my delegation, through me, stated that, between the two main alternatives open to the Committee, there seemed to be no hesitation to adopt the solution that, as I said last year, the General Assembly should

refer the draft again to the Geneva Committee, adding the records of the debate of the First Committee and the working documents on the subject which may have been submitted to this Committee, with the recommendation that the Conference of the Committee on Disarmament endeavour to prepare a new draft acceptable to all members of the Conference of the Committee on Disarmament, and which would probably also be acceptable to all Members of the United Nations.⁴

The text that has now been submitted to us almost met the first of those two requirements, and I sincerely hope that as a result of our present discussions the second requirement can also be met.

As far as the Mexican delegation is concerned, we were particularly gratified at seeing that, from among the amendments made to the draft, two new articles were taken, article V and IX.

¹ A/C.1/PV.1763, pp. 11-21.

² *Documents on Disarmament, 1969*, pp. 507-509.

³ *Ibid.*, pp. 475-479.

⁴ A/C.1/PV.1707, p. 47.

The first basically reflects what since last year has been known as the Swedish amendment,⁵ and the second is word for word the first paragraph of the additional article covering nuclear-weapon-free zones which we proposed on 1 December 1969,⁶ and also the substantive changes made in the system of observation and verification dealt with in article III and the extension in article IV of the provisions designed to avoid an interpretation of the future treaty as favouring or damaging the position of any State party with respect to all matters not clearly and specifically regulated in the treaty.

However, despite that, we are not unaware—and I am sure the two main co-sponsors are in the same position—of the fact that the wording of some of the articles of the draft treaty is far from being in the position of standing as an illustration of the best legal techniques for the drafting of treaties. Yet at the same time we are fully aware of the fact that such flaws seem inevitable when an effort is made to prepare draft multilateral contractual instruments. The difficulties of obtaining a text that will equally satisfy all possible parties to the instrument increase in direct proportion to the number of such parties.

Therefore we should have been happy if to the draft which is before us in a fourth and last revision a few changes were to be introduced, on the one hand, to ensure that paragraphs 2 and 3 of article I faithfully and clearly express what the representatives of the United States and the Soviet Union themselves stated in Geneva, in public and in private, was their intention of what the article should say and, secondly, that a prohibition be set forth on the military uses of that part of the continental shelf that lies beyond the twelve-mile limit established in the draft treaty.

Since circumstances have made it impossible to introduce additional modifications into the draft, we have, for the purpose of making very precise the meaning and scope of the paragraphs of article I that I mentioned before—thus giving another proof of the true spirit of co-operation that moves us—decided to resort to the questions that we asked and that are reproduced *in extenso* in the verbatim record of the 1748th meeting of our Committee.⁷ Those questions the representatives of the United States and the Soviet Union were good enough to answer in terms that we regard as satisfactory at yesterday's meeting of this Committee.⁸ We are sure that the Rapporteur of the Committee, with the usual efficient collaboration of the Secretariat, will make quite sure that those questions and answers are included in the report to the General Assembly on this item,⁹ in accordance with the custom established for cases of this kind.

⁵ *Documents on Disarmament*, 1969, p. 486.

⁶ A/C.1/1995.

⁷ *Ante*, pp. 555-556.

⁸ *Ante*, pp. 585-591, 591-597.

⁹ See A/8198, pp. 5...

With regard to the continental shelf, the position held by my country has already been defined in our legislation, and, as our Secretary for Foreign Affairs clearly indicated in the debate, this means that as far as Mexico is concerned, it would be impossible to agree to any possible emplacement of conventional weapons on our continental shelf, because that continental shelf, under the terms of our own Constitution, forms part of our national territory, and it is in this way that we must interpret it in accordance with the categorical provisions of article IV of the draft treaty.

We further believe that this is one of the *lacunae* that should be filled, and without delay, for the commitment accepted by the parties to the treaty under article V thereof, namely to "undertake to continue negotiations in good faith concerning further measures in the field of disarmament for the prevention of an arms race on the sea-bed, the ocean floor, and the subsoil thereof", should first and foremost be directed at achieving the express prohibition of the emplacement of conventional weapons—nuclear weapons and other weapons of mass destruction are already so prohibited under article I—on those regions of the continental shelf of any State that lie beyond the twelve-mile limit by any State other than the coastal State to which that continental shelf belongs.

In summary, my delegation has come to the conclusion that, imperfect though it may be, the draft treaty that has been referred to us by the Geneva Committee is preferable to no treaty at all on this question, especially if we take into account the fact that article V, to which I have already referred, together with article VII which provides for the holding, within five years, of a conference for the purpose of reviewing the operation of the treaty, lays down a procedure that will make it possible gradually to perfect the instrument.

My delegation is therefore prepared to cast an affirmative vote on the draft resolution in document A/C.1/L.523¹⁰ now before us; and we trust that the third preambular paragraph will be modified in accord with the proposal of the Peruvian delegation in document A/C.1/L.528¹¹ so that it will be expressly recognized that it is in the general interest of mankind to ensure that the sea-bed and the ocean floor are used exclusively for peaceful purposes. This furthermore, was already approved by the General Assembly, last year in resolution 2602 F (XXIV) which refers to the item now under consideration and which not only was approved by the representatives of both the United States and the Soviet Union but, what is more, was based on a draft resolution co-sponsored by those two delegations. As will be recalled, the first preambular paragraph of resolution 2602 F (XXIV) reads as

¹⁰ *Ante*, pp. 558-559.

¹¹ *Ante*, pp. 568-570.

follows: "*Recognizing the common interest of mankind in the reservation of the sea-bed and the ocean floor exclusively for peaceful purposes*".¹² If the Co-Chairmen of the Committee in Geneva find any difficulty in accepting the new wording proposed by the delegation of Peru but, at the same time, are prepared to adopt a repetition of the text adopted last year, then perhaps the Peruvian delegation may not object to changing the amendment if by so doing unanimous support for that fundamental and basic paragraph can be achieved.

Naturally, if the Mexican Government in due course comes to the conclusion that it would be in keeping with its own interests and those of the international community to sign and ratify the treaty under discussion, such signing and ratification would be accompanied by interpretational statements specifying, without room for doubt, the meaning and scope attached by Mexico to all those provisions of the treaty which, unfortunately, have not been drafted with the clarity and precision so desirable in such cases. Thus for example, my delegation feels, and will so recommend to our Government, that in such case we shall have to declare the following.

First, the continental shelf of Mexico forms part of the national territory under the terms of our Constitution, and that therefore any emplacement of conventional weapons thereon by any other State is prohibited.

Secondly, in the light of the explicit statement formulated by the representatives of the United States and the Soviet Union, co-sponsors of the draft treaty, it must be understood that exclusion has been made of any possible interpretation of paragraph 2 of article I that could in any way affect the sovereignty of a coastal State over its territorial waters and the subsoil thereof within the zone mentioned in paragraph 2, and that therefore the provisions of that paragraph in no way affect any rights of the coastal State deriving from that sovereignty.

Thirdly, Mexico interprets the statements of the two representatives I have mentioned concerning the significance and scope of paragraph 3 of article I regarding the nuclear-weapon free zones referred to in article IX as meaning that such provisions fully cover the proposal submitted by Mexico in document CCD/294 of 21 July 1970¹³ and that they are fully applicable within any nuclear-weapon free zone and especially in the denuclearized zone established by the Treaty for the prohibition of nuclear weapons in Latin America, or the Treaty of Tlateloco.¹⁴

I would not want to conclude without expressing my delegation's great appreciation of the long and patient consultations the Co-Chairmen of the Geneva Committee carried out on the successive revisions of the draft treaty, as also the understanding

¹² *Documents on Disarmament*, 1969, p. 715.

¹³ *Ibid.*, pp. 331-333.

¹⁴ *Documents on Disarmament*, 1967, pp. 69 ff.

they demonstrated concerning many of the modifications suggested by a number of delegations, including my own, which, as I said at the beginning, contributed to an appreciable improvement on the original text.

I should also like to stress the constant impartiality with which we have from the very outset undertaken the negotiations on the draft treaty to which I have referred, because, as I pointed out a year ago in my statement of 1 December 1969,¹⁵ since 20 September 1967, when Mexico became the first State party to the Treaty of Tlatelolco, we have accepted much wider prohibitions than those included in this draft concerning the emplacement of nuclear weapons not only on the bed and subsoil of our territorial sea, whose breadth is set by Mexican legislation at 12 nautical miles, but also on our own territory, since, as is known, the regime set up in the Latin American instrument is one of total absence of nuclear weapons. That has allowed my delegation to enjoy a privileged situation when examining with the greatest objectivity the scope and ramifications of this subject bearing in mind only the higher interest of mankind.

Statement by the Soviet Representative (Roshchin) to the First Committee of the General Assembly: Peruvian Amendments to the Draft Sea-Bed Treaty, November 17, 1970¹

As was shown quite convincingly by many representatives in the general debate, the draft treaty on the prohibition of the emplacement of weapons of mass destruction on the sea-bed² is the result of lengthy and complex negotiations during which the wishes and proposals of many States, submitted in the form of working documents at the twenty-fourth session of the General Assembly and in the Conference of the Committee on Disarmament, were taken into account.

I should like to remind representatives that, during the twenty-fourth session of the General Assembly last year, working documents were submitted by the delegations of Argentina,³ Brazil,⁴ Canada,⁵ Mexico⁶ and Sweden,⁷ containing many concrete proposals relating to changes in the text of the draft treaty on the sea-bed.

The draft treaty that has now been submitted to the First Committee as a result of the proposals and views of many

¹⁵ A/C.1/PV.1707, p. 42.

¹ A/C.1/PV.1763, pp. 23-26.

² *Ibid.*, pp. 475-479.

³ *Documents on Disarmament*, 1969, p. 704.

⁴ *Ibid.*, p. 686.

⁵ *Ibid.*, pp. 596-597.

⁶ A/C.1/995.

⁷ A/C.1/994, identical with the Swedish amendment of Oct. 16, 1969 (*Documents on Disarmament*, 1969, p. 486).

delegations expressed in working documents and orally at meetings of the First Committee last year and at sessions of the Conference of the Committee on Disarmament, was revised three times. To the maximum extent, in fact, it takes into account the positions of all States that made proposals relating to changes in the draft treaty on the sea-bed. Thus the document now before the First Committee can be correctly termed a multilateral document, one which has been carefully worked out—a compromise elaborated in consultations among many delegations—which, in the view of the overwhelming majority of delegations that took part in the disarmament debates here, can be adopted by the General Assembly, and which must then be immediately opened for signature.

The amendments of the delegation of Peru⁸ provide for a radical change in the main provisions of the draft treaty concerning matters of such fundamental importance as the scope of the treaty and control over respect for it and compliance with it. The delegation of Peru proposes to delete or modify the essential articles of the draft treaty. The result of the adoption of those amendments and proposals would be a disruption of the structure and contents of the draft treaty itself. Thus, after three revisions of the draft treaty, we are asked to start that tremendous work anew. It is not difficult to predict the complications and delays that would occur, if we were to adopt the Peruvian proposal.

In view of all these facts, and because we wish to see this treaty concluded as soon as possible, as it would be the first concrete step towards the complete demilitarization of the sea-bed and ocean floor, the Soviet delegation cannot agree to the proposal of the delegation of Peru; it will oppose those amendments and vote against them.

In connexion with the statement of the representative of Mexico, Ambassador Garcia Robles,⁹ we wish to express our satisfaction at the fact that his delegation has come out in favour of approving this draft treaty, taking into account the answers furnished by my delegation and the delegation of the United States to the questions put by the representative of Mexico on 2 November to the co-sponsors of the draft treaty now under discussion.¹⁰

Statement by the Mexican Representative (Garcia Robles) to the First Committee of the General Assembly: First Peruvian Amendment to Thirty-four Power Draft Resolution on Sea-Bed Treaty, November 17, 1970¹

In this case, as in all matters dealing with this subject, my intention has been to try to achieve either unanimity or the widest

⁸ *Ante*, pp. 568-570.

⁹ *Ante*, pp. 602-606.

¹⁰ See *ante*, pp. 555-556, 585-591, 591-597.

¹ A/C.1/PV.1763, p. 33. For the draft resolution and the Peruvian amendment, see *ante*, pp. 558-559, 568-570.

possible acceptance. I said, therefore, that if the present text of the Peruvian amendment were put to the vote my delegation would support it. I also said that if that text were not acceptable to the Co-Chairmen of the Geneva Disarmament Committee—that is, to the representatives of the United States and the Soviet Union—and, on the other hand, if they felt they could accept the text that we had approved last year, and which, in our opinion is essentially the same, and if, in addition, the representative of Peru could agree to a change in his first amendment so that, instead of reading as it now does, it were to read: “Recognizing the common interest of mankind in the reservation of the sea-bed and ocean floor exclusively for peaceful purposes”, then it might be better if the text to be put to vote were the second. From what I have just said it is easy to gather that I am basing myself on two possibilities.

Therefore, in order to clarify this question, the representatives of both the United States and the Soviet Union, as well as the representative of Peru, would, if they see fit, have to express their views on the matter. As far as the Mexican delegation is concerned, I repeat that we shall vote in favour of either one of the two texts.

Statement by the United States Representative (Leonard) to the First Committee of the General Assembly: Mexican Revision of First Peruvian Amendment to Thirty-four Power Draft Resolution on Sea-Bed Treaty, November 17, 1970¹

I must first express my appreciation to the representative of Mexico for his discussion on the sea-bed treaty and the position of Mexico with respect to that treaty.² We are very pleased to note that Mexico finds it possible to support the treaty with the explanations and clarifications which have been provided by the drafters of the treaty and with the clarifications which will be made by the Mexican Government in the course of its adherence to the treaty.

I should also like to express gratitude for the very helpful suggestion which Ambassador Garcia Robles has just made with respect to the amendments to the draft resolution contained in document A/C.1/L.523.³ Mr. Garcia Robles is correct in saying that the language proposed by the representative of Peru⁴ would create difficulties for the United States delegation. On the other hand, the language of General Assembly resolution 2602 F

¹ A/C.1/PV.1763, p. 34.

² See *ante*, pp. 602-606.

³ The remarks of Ambassador Garcia Robles appear *supra*. For the draft resolution, see *ante*, pp. 558-559.

⁴ *Ante*, pp. 568-570.

(XXIV),⁵ which, as Mr. Garcia Robles pointed out, is very similar in intent, does not contain the problems which we see in the current suggestion of the Peruvian delegation. Therefore, we would find it possible to support a change in draft resolution A/C.1/L.523 to make the appropriate preambular paragraph correspond to the text which Mr. Garcia Robles has just read to us.

Statement by the Peruvian Representative (Arias Schreiber) to the First Committee of the General Assembly: Mexican Revision of First Peruvian Amendment to Thirty-four Power Draft Resolution on Sea-Bed Treaty, November 17, 1970⁶

My delegation can agree to the paragraph adopted at the last session of the General Assembly⁷ because basically it meets the needs of the Peruvian amendment.⁸ But I do want it to be known that the acceptance by Peru of that paragraph in the draft resolution does not mean that we agree with the rest of the draft.⁹ Far from it, and definitely not with the draft treaty,¹⁰ on which I still ask for a roll-call vote. Since not all States participated in the debates of the Conference of the Committee on Disarmament, I doubt whether, as the Soviet representative said, this draft can obtain overwhelming support.

Statement by the Soviet Representative (Roshchin) to the First Committee of the General Assembly: Mexican Revision of First Peruvian Amendment to Thirty-four Power Draft Resolution on Sea-Bed Treaty, November 17, 1970¹

In order to find the most appropriate and favourable solution to the question now under discussion, we too are prepared to support the proposal which has just been made by the representative of Mexico in connexion with the preamble of the draft resolution.² Since the preamble to the draft resolution which had been proposed is the text adopted by the General Assembly last year,³ and since we voted in favour of that text last year, we see no reason to object to the adoption of that text this year. However, it goes without saying that the new text adopted by the Assembly in the preamble of the draft resolution will not give rise to any

⁵ *Documents on Disarmament, 1969*, p. 715.

⁶ A/C.1/PV.1763, p. 35.

⁷ *Documents on Disarmament, 1969*, p. 715.

⁸ *Ante*, pp. 568-570.

⁹ *Ante*, pp. 558-559.

¹⁰ *Ante*, pp. 475-479.

¹ A/C.1/PV.1763, p. 34.

² See *ante*, pp. 607-608.

³ *Documents on Disarmament, 1969*, p. 715.

changes in the text of the draft treaty itself.⁴ If that understanding is correct, the proposal of the representative of Mexico is acceptable to the delegation of the Soviet Union, and we are ready to vote in favour of his suggested change in the preamble of the draft resolution recommending approval of the draft treaty.

Statement by the United States Representative (Leonard) to the First Committee of the General Assembly: Peruvian Amendments to Draft Sea-Bed Treaty, November 18, 1970¹

I should like to make two points in connexion with the votes of our delegation on the Peruvian amendments relating to the draft resolution in document A/C.1/L.523,² the amendments on which the Committee voted at the meeting yesterday morning. The votes of the United States on those amendments reflected our substantive views rather than procedural considerations. We would not wish this to be interpreted, however, as indicating that we had no problems from the procedural view point. In particular, we do not wish our vote to be interpreted as implying acceptance of the notion that a treaty text,³ incorporating what will become binding international legal obligations—a treaty, incidentally, which has been negotiated with careful attention to the interrelationships and to the balances among its many parts—can be amended by a vote in this Committee. Suggestions for amendments can, of course, be introduced in the discussions in this Committee, and some of the suggestions made in last year's discussion resulted in actual amendments. Members will recall that this procedural question was raised last year, and at that time the Chairman ruled, in what we considered to be a satisfactory fashion. We continue to believe that that ruling by the Chairman last year remains a proper description of the parliamentary situation, one which has not been invalidated by the action this Committee has just taken.

Our second point relates to the amendments to the third preambular paragraph of the draft resolution in document A/C.1/L.523, the final language for which was suggested by the representative of Mexico.⁴ The United States acceptance of that amended language in no way indicates a change with respect to our view on the so-called moratorium resolution (2574 C (XXIV)), relating to the exploitation of sea-bed resources beyond the limits of national jurisdiction.⁵

⁴ *Ante*, pp. 475-479.

¹ A/C.1/PV.1764, pp. 17-18.

² *Ante*, pp. 558-559.

³ *Ante*, pp. 475-479.

⁴ *Ante*, pp. 607-608.

⁵ General Assembly *Official Records: Twenty fourth Session, Supplement No. 30* (A/7630), p. 11.

Statement by the United States Representative (Leonard) to the First Committee of the General Assembly: Additional Protocol II to the Tlatelolco Treaty, November 18, 1970⁶

My delegation is very pleased to be able to vote for the draft resolution proposed by the delegation of Mexico⁷ concerning the signature and ratification of Additional Protocol II to the Treaty of Tlatelolco.⁸ I should like to recall that the United States has already signed Protocol II, as Ambassador Garcia Robles has just noted, and that the Protocol has now been transmitted to the United States Senate for its advice and consent to ratification.⁹

As the draft resolution under consideration points out, the Treaty of Tlatelolco is the first treaty which provides for the establishment of a nuclear-free zone in a heavily populated area.

For that reason, the Treaty is of historic significance. A large number of nations have co-operated constructively towards the realization of that Treaty. The representative of Mexico, Mr. Garcia Robles, is especially to be commended for his leadership in this regard.

May I repeat that my Government considers that that regional disarmament measure deserves the widest possible support.

Six-Power Draft Resolution Introduced in the First Committee of the General Assembly: Comprehensive Program of Disarmament, November 18, 1970¹

The General Assembly,

Recalling its resolution 2602 E (XXIV) of 16 December 1969,²

Recalling further its resolution 1722 (XVI) of 20 December 1961,³ by which it welcomed the joint statement of agreed principles for disarmament negotiations submitted on 20 September 1961 by the Union of Soviet Socialist Republics and the United States of America,⁴

Reaffirming once again the responsibility of the United Nations in the attainment of general and complete disarmament which is the most important question facing the world today,

⁶ A/C.1/FV.1764, pp. 38-41.

⁷ Identical with res. 2666 (XXV), *post*, pp. 689-691.

⁸ For the treaty and the protocol, see *Documents on Disarmament*, 1967, pp. 62-82.

⁹ *Ibid.*, pp. 408-409.

¹ A/C.1/L.537, Nov. 18, 1970. The draft resolution was cosponsored by Ireland, Mexico, Morocco, Pakistan, Sweden, and Yugoslavia. On Nov. 26 the same countries tabled a revised draft resolution that omitted the third operative par. (A/C.1/L.537/Rev. 1). On Dec. 2 the following countries joined the original sponsors in introducing a new version (A/C.1/L.537/Rev. 2): Argentina, Brazil, El Salvador, Italy, Malta, Netherlands, Nigeria, Uruguay, Venezuela. Ecuador later became a cosponsor of the new version, which became pt. C of General Assembly Resolution 2651 (*post*, pp. 682-683).

² *Documents on Disarmament*, 1969, pp. 713-715.

³ *Ibid.*, 1961, pp. 741-742.

⁴ *Ibid.*, pp. 439-442.

Considering that it has declared the decade of the 1970s as a Disarmament Decade,

Having examined the draft comprehensive programme of disarmament submitted by the delegations of Mexico, Sweden and Yugoslavia to the Conference of the Committee on Disarmament,⁵ as well as the working papers presented to the Conference by the delegations of Italy⁶ and the Netherlands,⁷

Bearing in mind the opinions expressed in the debates of the Conference and of the First Committee concerning the question of general and complete disarmament,

1. *Declares* that the comprehensive programme of disarmament annexed to the present resolution⁸ is a broad and flexible document dealing adequately with all principal aspects of the problem of the cessation of the arms race and general and complete disarmament under effective international control;

2. *Recommends* to the Conference of the Committee on Disarmament to take the programme into account in its deliberations and invites all States to avail themselves of the programme as a guideline for their disarmament activities;

3. *Decides* to include in the agenda of its twenty-seventh session an item entitled: "consideration of the progress attained with regard to the comprehensive programme of disarmament".

Statement by the Soviet Representative (Roshchin) to the First Committee of the General Assembly: Additional Protocol II to the Tlatelolco Treaty, November 18, 1970¹

Now that the Committee is about to vote on the draft resolution introduced by a group of Latin American countries² on the status of implementation of General Assembly resolution 2456 (XXIII)³ concerning the signature and ratification of Additional Protocol II of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco),⁴ on behalf of the Soviet delegation I wish to make a statement in order to explain its vote.

The Soviet Union is in favour of the creation of nuclear-free zones in various parts of the world, as we see in such measures an effective means to limit the areas in which nuclear weapons would be placed. The Soviet Union is guided by the fact that obligations for the creation of nuclear-free zones can be assumed by groups of States forming whole continents or wide geographical areas, as

⁵ *Ante*, pp. 459-465.

⁶ *Ante*, pp. 59-63.

⁷ *Ante*, pp. 277-282.

⁸ Substantially the same as the program of Dec. I (*post*, pp. 653-658).

¹ A/C.1/PV.1764, p. 42.

² Identical with res. 2666 (XXV), *post*, pp. 689-691.

³ *Documents on Disarmament*, 1968, p. 799.

⁴ *Ibid.*, 1967, pp. 69-83.

well as by a more limited number of States or even individual countries.

As a result of this position of principle, the Soviet Union is ready to assume the obligation to respect the status of nuclear-free zones pertaining to various countries in Latin America. We have already made a statement to the effect that we were prepared to assume such an undertaking towards Mexico, which, as is well known, is reflected in the Soviet-Mexican communique of 30 May 1968.⁵

The Soviet Union would be prepared to assume similar obligations towards other countries of Latin America, which, like Mexico, might make their territory completely nuclear-free.

As to the draft resolution of a group of Latin American countries now under discussion on the status of implementation of the Treaty for the Prohibition of Nuclear Weapons in Latin America, we deem it necessary to confirm the well-known, oft-repeated position of the Soviet Union regarding that Treaty. Guided by that position, the Soviet delegation will abstain in the vote on that draft resolution.

Twenty-four Power Draft Resolution Introduced in the First Committee of the General Assembly: Economic and Social Consequences of the Armaments Race and Its Extremely Harmful Effect on World Peace and Security, November 18, 1970¹

The General Assembly,

Conscious of the threat to mankind posed by the ever-spiralling arms race, especially in view of the existing large stockpiles of an impending new qualitative advance in the ever more devastating nature of nuclear armaments,

Aware that world military expenditures have been continuously expanding, in spite of the achievements in the field of arms limitation and disarmament during the 1960s,

Convinced that unless vigorous measures are taken without delay to stop the armaments race and to make concrete progress towards disarmament, giving priority to nuclear disarmament, military expenditure is likely to increase at an even greater rate during the 1970s,

Deeply concerned that the armaments race, nuclear and conventional, constitutes one of the heaviest burdens which

⁵ *Pravda*, May 30, 1968, p. 5.

¹ A/C.1/L.535, Nov. 18, 1970. The draft resolution was cosponsored by Austria, Canada, Colombia, Cyprus, Denmark, India, Iran, Ireland, Italy, Madagascar, Mexico, Morocco, Netherlands, Norway, Pakistan, Poland, Romania, Rwanda, Singapore, Sweden, Turkey, Uruguay, Yugoslavia. These countries were later joined by Tunisia. On Nov. 25 the 24 countries, together with Mali and Sierra Leone, tabled a revised version (A/C.1/L.535/Rev.1) identical with General Assembly Resolution 2667 (*post*, pp. 691-693).

peoples everywhere have to bear and that it absorbs immense material wealth, human energy and intellectual resources,

Deeply convinced that the elimination of the enormous waste of wealth and talent, which is detrimental to the economic and social life of all States, would have a positive impact especially on the developing countries, where the need for skilled personnel and the lack of material and financial resources are most keenly felt,

Convinced that a reduction of military expenditure, a halt in the armaments race and concrete progress towards disarmament would greatly facilitate the achievement by nations of their urgent economic and social goals and would contribute effectively to the improvement of international relations and the maintenance of world peace and security,

Conscious that it is the fundamental task of the United Nations to promote, in accordance with the Charter, the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources,

Determined to take appropriate steps to bring the arms race to a halt, and to make progress towards general and complete disarmament, which is the most important question facing the world today, and thus to help ensure human survival and human welfare,

Wishing to promote the elaboration and implementation of a comprehensive programme for disarmament, which would facilitate also the United Nations development programme during the 1970s,

Believing that thorough consideration of the main aspects of the armaments race would facilitate a better understanding and evaluation of its negative consequences at all levels and of the great dangers with which it is fraught,

1. *Calls upon* all States to take effective steps for the cessation and reversal of the armaments race and for the achievement of steady progress in the disarmament negotiations;

2. *Requests* the Conference of the Committee on Disarmament to continue with a sense of urgency to pay due attention to all questions meant to put an end to the armaments race, particularly in the nuclear field;

3. *Requests* the Secretary-General to prepare, with the assistance of qualified consultant experts appointed by him, a report on the economic and social consequences of the armaments race and of the military expenditures;

4. *Calls upon* all Governments to extend their full co-operation to the Secretary-General of the United Nations to ensure that the study will be carried out in the most effective way;

5. *Call upon* non-governmental and international institutions and organizations to co-operate with the Secretary-General in the preparation of the report;

6. *Requests* that the report be transmitted to the General Assembly in time to permit its consideration at the Assembly's twenty-sixth session.

Statement by the Canadian Representative (Ignatieff) to the First Committee of the General Assembly: International Exchange of Seismic Data, November 18, 1970¹

When I spoke in the general debate on 2 November, I indicated that the Canadian delegation would very shortly submit to this Committee, in company with other like-minded delegations, a draft resolution which might serve as

... a useful focus for support for further progress in clarifying the potential role of a seismic data exchange system in the verification process of a comprehensive ban² on the testing of nuclear weapons underground.

In order to facilitate further consideration of this proposal which is, as I said, designed to try to overcome disagreement between nuclear Powers on verification of a ban on nuclear testing, we have submitted the draft text of the resolution to which you, Mr. Chairman, referred.³ We are much heartened by the support we have received from other delegations and are pleased to note—according to my last reckoning—that there are now forty co-sponsors for our draft resolution, which I hope will be registered in the revision of the draft resolution which has been tabled.

We consider that this draft resolution should be regarded as a complement to the other draft resolution we are considering under this item, which was submitted by the non-aligned delegations on 11 November,⁴ a draft resolution which we will support.

We realize also, as the representative of Nigeria pointed out in his closely reasoned statement of 6 November, that the conclusion of any disarmament agreement is principally a political action and therefore presupposes the existence of a necessary political will on the part of all concerned. But, as the representative of Nigeria also stressed, assurance of the reliability or credibility of the control system is a necessary and important contributory factor.

Those are indeed the reasons why Canada, together with other co-sponsors, took the initiative at the last Assembly of seeking information on the willingness of Governments to co-operate in a world-wide seismic data exchange. The result of this initiative was the questionnaire circulated by the Secretary-General which sought information concerning the quantity and quality of seismic data which national seismological stations could produce and

¹ A/C.1/PV.1754, pp. 47-53.

² A/C.1/PV.1749, pp. 8-10.

³ Identical with pt. A of res. 2663 (XXV), *post*, pp. 685-687.

⁴ Identical with pt. B of res. 2663 (XXV), *post*, p. 681.

which Governments would be prepared to make available on an assured basis to facilitate the verification of a ban on underground nuclear testing.

The information submitted in response to that questionnaire was, as I mentioned in my statement of 2 November, analysed in detail by Canadian seismologists and a preliminary assessment of it was circulated last summer at the Conference of the Committee on Disarmament.⁵ Now, a more complete scientific study, incorporating all the returns received to date and with an expression of technical argumentation, is being prepared by Canadian seismologists and we hope to circulate copies of this assessment to all delegations before the end of the current United Nations General Assembly for their information and for study by their technical experts. In this study, using the data quoted in the United Nations returns and published in open literature, the capability of each conventional and array station is described in terms of its ability to detect P waves, or those waves that are propagated through the body of the earth, and rayleigh waves, or waves which are propagated on the surface of the globe, as a function of the distance from the event. A very brief and oversimplified summary of the results and conclusions of this assessment is that the global system of stations produces proven detection, location and identification of underground nuclear explosions down to yields of about 60 kilotons in hard rock. In most of the northern hemisphere, the threshold is between 10 and 20 kilotons for certain test sites only, and this lower threshold cannot be reached on a global basis with the existing ensemble of stations. The study is completed by a number of recommendations which, with very little financial commitment, will provide some basic data required to define the existing capabilities better and which may significantly improve them.

National capabilities moreover could be improved through the development of more technologically advanced scientific equipment. It is for this reason that operative paragraph 2 of the draft resolution contained in document A/C.1/L.529 urges Governments to "consider and wherever possible implement methods of improving their capability to contribute high quality seismic data". In this regard, I might mention that the Canadian Government for its part has now initiated a study project which seeks to further develop technical knowledge for seismological detection techniques.

The draft resolution goes further in inviting Governments in a position to do so to consider assistance in the improvement of world-wide seismological capabilities. I am sure that my colleagues noted the example set by the Ambassador of Japan, another of the co-sponsors, when on 4 November, in the meeting of this committee, he said that:

⁵ *Ante*, pp. 390-393.

It is the intention of the Japanese Government to strive to improve the network of observatories in Japan and to contribute as far as possible to international co-operation in this field.⁶

I believe that it is universally recognized that the international exchange of seismic data must play a role in ensuring compliance with whatever international agreement or agreements may be negotiated to supplement the Moscow partial test ban Treaty.⁷ It is for this reason that this draft resolution invites members of the Conference of the Committee on Disarmament to co-operate in further study of this issue. In this way, when the international political situation permits a decision on a further ban on nuclear testing to be taken, the essential preliminary study of the basic aspects of verification procedure and availability of seismic information will have been completed. I hope that Members of this Assembly will agree that this objective is a valid one.

In conclusion, the essence of the problem in trying to bring an end to nuclear and thermonuclear testing, as in other important disarmament measures, as the representative of Malta who is also a co-sponsor of the draft resolution reminded us last week, in confidence. International confidence, if it does not exist has to be built up block by block. It is to this end that the proposal to continue our work in the Conference of the Committee of Disarmament in trying to improve the world-wide exchange of seismic information is directed. I hope that, for the reasons I have given, the draft resolution contained in document A/C.1/L.529 will receive the general support which we believe it merits and I should also like to request that a roll-call vote be taken on this draft resolution when it comes to the vote.

Statement by the Soviet Representative (Roshchin) to the First Committee of the General Assembly: Suspension of Nuclear Tests, November 18, 1970¹

In the name of the Soviet delegation I wish to state our views and explain our vote on the draft resolution in document A/C.1/L.529 on the need for suspension of nuclear and thermonuclear tests and the cognate problem of the international exchange of seismic data.² As we understand it, the main provision of this draft resolution resides in urging that governments take measures to expand and improve world-wide seismological exchanges.

In that connexion, I should like once again to restate the position of the Soviet Union in the matter of the exchange of seismic data. The Soviet Union is in favour of large-scale exchange

⁶ A/C.1/PV.1750, p. 46.

⁷ *Documents on Disarmament, 1963*, pp. 291-293.

¹ A/C.1/PV.1764, pp. 56-57.

² Identical with pt. A of res. 2663 (XXV), *post.* pp. 685-686.

of seismic data on the international level, it being understood that such exchange has a precise objective. Our delegation has already had occasion to state that the Soviet Union was ready, on a voluntary basis, to go ahead with exchange of its national seismic data with other participants in a treaty on a complete nuclear test ban, as well as to take part in the international exchange of such data on condition that such participation would not impose upon countries any obligation in the field of international inspection and control on their territories, and that the evaluation of the data collected would be carried out, not by an international body, but by each State on its own.

According to the position of the Soviet Union therefore—and we should like to stress this once again—large-scale exchange of seismological data on a world-wide scale presupposes above all an agreement in principle on the cessation of underground nuclear-weapon tests and the use of national means of detection of nuclear explosions to verify the implementation of such an agreement.

The Soviet delegation had occasion to set out its position in detail on the international exchange of seismic data in the General Assembly and in the Committee on Disarmament.

Analysing the draft resolution under consideration as it relates to this very point, we must note that matters upon which we touched when setting out the position of the Soviet Union in the field of the exchange of seismic data are not duly reflected in it. That being the case, the Soviet delegation will abstain during the vote on that draft resolution.

With reference to the other draft resolution on the suspension of nuclear and thermonuclear tests, sponsored by twelve States, the draft which

“Urges all States . . . to adhere without further delay to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water” and

“Calls upon all nuclear-weapon States to suspend nuclear weapon Tests in all environments”,

its provisions are fully in keeping with the position of the Soviet State in this matter.

For those reasons the Soviet Delegation will vote in favour of the draft resolution contained in document A/C.1/L.530.³

Statement by the United States Representative (Leonard) to the First Committee of the General Assembly: Suspension of Nuclear Tests, November 18, 1970¹

The United States supports the objectives of the resolution we have just adopted.² Again, as on similar past occasions, I should

²Identical with pt. B of res. 2663 (XXV), *post*, p. 687.

¹A/C.1/PV.1764, p. 61.

³I.e., pt. B of res. 2663 (XXV), *post*, p. 687.

like to place on record that the United States understands the language of that resolution to call for a suspension of tests in all environments, pursuant to an adequately verified treaty. We continue to hope it will become possible to negotiate such a treaty in the nearest future, and we intend, in the course of the deliberations of the Conference of the Committee on Disarmament, to do everything in our power to further this objective.

Statement by the Philippine Representative (Brillantes) to the Second Committee of the General Assembly: Economic and Social Consequences of Disarmament [Summary], November 12, 1970¹

Mr. Brillantes (Philippines), introducing the draft resolution sponsored by his delegation,² said that it had been prepared after extensive consultations with a number of other members of the Committee, and had frequently been revised in an effort to obtain the widest possible support. It was high time that a new attempt was made to reach more substantial results in the field of disarmament. As paragraph 5 of the International Development Strategy stated, progress towards general and complete disarmament should release substantial additional resources which could be utilized for the purpose of economic and social development, in particular that of developing countries. There should, therefore, be a close link between the Second Development Decade and the Disarmament Decade.

The purpose of the draft resolution was to establish such a link, as an essential part of the new era heralded by the adoption of the International Development Strategy. All the problems of the transition to disarmament could be met through appropriate national and international measures, and the results would be of benefit to all countries.

The fourth preambular paragraph of the draft resolution paraphrased parts of paragraph 19 of the introduction to the report of the Secretary-General on the work of the Organization.³ The fifth preambular paragraph was self-explanatory, while the sixth sought to focus the attention of the General Assembly on the specific task of establishing a link between the Disarmament Decade and the Second Development Decade. In the operative part of the draft resolution, the Secretary-General was requested to do three things. His delegation wished to draw particular attention to the word "appropriate" in operative paragraph 1(c), which made it clear that not all the resources released by disarmament should be used for the economic and social develop-

¹ A/C.2/SR.1343, pp. 16-17.

² *Ante*, pp. 578-579.

³ General Assembly Official Records: Twenty-fifth Session, Supplement No. 1A (A/8001/Add. 1).

ment of developing countries. In connexion with operative paragraph 2, it was extremely important that all Members of the United Nations should give their views on how the proposed link was to be established, in order that the implementation of the link would be more effective. The aim of the request in operative paragraph 3 for the submission of a report was to ensure that the International Development Strategy for the Second Development Decade could be implemented in a dynamic manner which would serve the needs of the developing countries. It was to be hoped that the developed countries would during the Second Development Decade enter into the rewarding area of competition to contribute to the development of the developing countries.

Statement by the British Representative (Porter) to the First Committee of the General Assembly: Chemical and Biological Weapons, November 19, 1970¹

I should first of all like to associate myself with the heart-felt sympathy you expressed on behalf of us all to the Government and people of Pakistan. It now seems that Pakistan has suffered the worst natural disaster of our time. Though perhaps small solace in the face of such a devastating tragedy, the British Government has already made immediate assistance available, and this includes the provision of motorised assault boats and rescue craft. I know the people of Britain will also be contributing generously. The Government and people of Pakistan have our deepest sympathy at this terrible time.

I should like this morning to say a few words about the three draft resolutions (A/C.1/L.526,² A/C.1/L.527³ and A/C.1/L.533⁴) on chemical and biological weapons that are before us today. I do not propose to discuss questions of substance which were dealt with by the leader of my delegation, Lord Lothian, in his general statement of 4 November.

Last year in its discussion on chemical and bacteriological (biological) weapons the Conference of the Committee on Disarmament carried out an intensive political and technical examination of the problems involved. The view was expressed that we might have laid the foundation for agreement in 1971. Certainly that is our hope. It was widely felt that the most useful step would be for the General Assembly to urge the Conference of the Committee on Disarmament to continue its work and to redouble its endeavours to find a solution.

We had therefore hoped that this year instead of being faced with several resolutions setting out the differing approaches to the

¹ A/C.1/PV.1765, pp. 2-5.

² *Ante*, pp. 559-561.

³ *Ante*, pp. 561-563.

⁴ Identical with res. 2662 (XXV), *post*, pp. 683-685.

problem of chemical and bacteriological (biological) weapons, the Committee would have before it from the start an agreed non-controversial resolution tabled in the name of the principal participants in the negotiations of the Conference of the Committee on Disarmament. While this did not prove immediately possible my delegation has always believed that by the end of our deliberations we should adopt such a resolution, and it was with this in mind that we submitted our draft on 6 November.⁵ This contains no controversial elements and is in fact very similar to General Assembly resolution 2603 B (XXIV) adopted last year.⁶

It does not prejudice the outcome of the work of the Conference of the Committee on Disarmament, which has already acquired considerable experience in this field. It raises no point of substance and accords equal treatment to all the proposals made. But it calls on the Conference of the Committee on Disarmament to give urgent consideration to reaching agreement on effective measures to deal with the problems of chemical and biological weapons.

Since then, however, another and similar draft resolution has been tabled by a group of twelve countries.⁷ In its preamble and in the essentials of its operative paragraphs this draft resolution contains the same elements as our own.

It acknowledges the need for urgency in tackling these problems, and the need to build on the solid foundations of the Geneva Protocol of 1925. It calls for wider adherence to the Protocol, although it does not record its appreciation that a considerable number of important States have in response to last year's resolution, 2603 B (XXIV), taken action in the course of 1970 to become parties to the Geneva Protocol. This is a pity but not, in my view, a serious flaw. The draft resolution in document A/C.1/L.533, like our own draft, also notes in its preambular paragraphs the reports of the Secretary-General⁸ and of the World Health Organization on chemical and biological weapons.⁹ In its operative paragraphs it takes note of the two revised draft conventions, put forward on the one hand by my own country and on the other by the Soviet Union and a number of its allies. It also takes note of the working papers, expert views and suggestions put forward here and in Geneva, and mentions particularly the joint memorandum submitted in Geneva by the group of twelve States now sponsoring the resolution. All this is common ground between the two draft resolutions, our own and that of the twelve. So, too, is there common ground between us on the three issues singled out for special reference. We agree with the need for urgency, and on the importance of verification. We clearly can

⁵ *Ante*, pp. 559-561.

⁶ *Documents on Disarmament*, 1969, pp. 717-719.

⁷ Identical with res. 2662 (XXV), *post*, pp. 683-685.

⁸ *Documents on Disarmament*, 1969, pp. 264-298.

⁹ *World Health Organization, Health Aspects of Chemical and Biological Weapons* (Geneva, 1970).

have no objection to taking a combination of national and international measures so long as added together, these ensure effective implementation. My delegation, as, I am sure the Committee will recall, said on 9 December last year in this debate that we were ready to fall in with the wish of the majority if that wish was to make a start on the problem by considering chemical and biological weapons at the same time.¹⁰ This we have done and will continue to do in examining steps towards their prohibition, and indeed the approach set out in our draft convention on bacteriological weapons recognizes clearly that a solution of the bacteriological weapons problem, for which we believe the time is now ripe, can only lead to progress on chemical weapons.¹¹ It is for this reason that article V of our draft deals with chemical weapons.

Finally, the group of twelve draft, like ours, requests the Conference of the Committee on Disarmament to continue its consideration of the problem and naturally this includes taking into account all the documents put forward this year and in previous years here and in Geneva.

Accordingly, I should like to inform the Committee that in the interests of achieving the sort of broadly-supported resolution which does not prejudge the issues, that I described at the outset of my remarks I do not propose to press to the vote the draft resolution originally sponsored by my delegation. My delegation will accordingly vote for the group of twelve resolution, and I hope and believe that it will obtain the approval of the great majority of the Assembly.

Statement by the Polish Representative (Jaroszek) to the First Committee of the General Assembly: Chemical and Bacteriological Weapons, November 19, 1970¹

I should like to make some observations with regard to the draft resolutions which have been submitted in this Committee concerning chemical and bacteriological weapons.

In the view of the Polish delegation, the draft resolution which is to be adopted should meet the following three requirements: first, it should correspond to the existing international instruments relating to chemical and bacteriological weapons. In the first place this refers to the 1925 Geneva Protocol on the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases and of Bacteriological Methods of Warfare,² as well as to the basic General Assembly resolutions on this subject, primarily resolutions

¹⁰ A/C.1/PV.1716, p. 102.

¹¹ *Ante*, pp. 428-432.

¹ A/C.1/PV. 1765, pp. 6-11.

² *Documents on Disarmament*, 1969, pp. 764-765.

2454 A (XXIII) of 20 December 1968³ and 2603 B (XXIV) of 16 December 1969.⁴

Second, it should take into account the prevailing trend of opinion that has emerged so far in the debate on the question of the elimination of chemical and bacteriological (biological) weapons. Obviously, as the debate in this Committee has proved again, such a prevailing trend of opinion voices the postulate of the establishment of a joint and total prohibition, as well as destruction of both chemical and bacteriological weapons.

Third, such a draft resolution must provide a favourable platform for further disarmament negotiations. The resolution should therefore not only sum up the state of negotiations thus far, but also embody a set of practical guidelines that would facilitate further negotiations at the next stage of the work of the Geneva Conference of the Committee on Disarmament.

It is with those basic considerations in mind that the delegations of Hungary, Mongolia and Poland have prepared and submitted to this Committee a draft resolution on chemical and bacteriological weapons.⁵ In their action the three delegations were guided by the realization of the need to take urgent and radical steps in order to establish a complete prohibition and total elimination of chemical and bacteriological weapons. And, indeed, there are very good grounds to follow such a course of action. First, as we are all aware, there is the ever present and accelerating process of improvement and sophistication of these weapons, particularly chemical weapons, which, to an ever greater extent, are being perfected into something much more than mere weapons of mass destruction, they are becoming genocidal weapons. Second, there is the underlying principle of the disarmament negotiations whereby top priority has been accorded, by common agreement, to the task of the prohibition and elimination of all kinds of weapons of mass destruction.

We submit that the draft resolution put forward by the three socialist States fully takes into account these facts. It places due emphasis on the importance and significance of the Geneva Protocol of 1925 by reaffirming, in its operative part I, General Assembly resolution 2162 B (XXI) of 5 December 1966 and its call for "strict observance by all States of the principles and objectives of the Protocol".⁶ Moreover, it renews the invitation to "all States which have not yet done so to accede to or to ratify the Geneva Protocol". These two elements of the draft resolution are of substantive importance at present.

The draft resolution sponsored by the three socialist States

³*Ibid.*, 1968, pp. 793-795.

⁴*Ibid.*, 1969, pp. 717-719.

⁵*Ann.*, pp. 561-563.

⁶*Documents on Disarmament*, 1966, pp. 798-799.

reflects the position and views of an overwhelming majority of States which have taken part in the disarmament debate in our Committee, as well as those participating in the work of the Conference of the Committee on Disarmament in Geneva. This majority—not at all silent—has declared its support to the concept of the establishment of the total and joint prohibition with regard to both chemical and bacteriological weapons. Let me only recall at this juncture the joint memorandum of the twelve non-aligned States, members of the Conference of the Committee on Disarmament, submitted in Geneva and contained in document CCD/310.⁷

Such wide support for the idea of the establishment of total prohibition of both chemical and bacteriological weapons is by no means a mere coincidence. It closely corresponds to the practice of the disarmament negotiations thus far when both these weapons have been dealt with together. I might add that such an approach also reflects the situation in the military domain, where chemical and bacteriological weapons constitute an integrated weapons system. And, last but not least, chemical and bacteriological weapons are weapons of mass destruction whose effects are similar. Therefore, to adopt as a guideline for disarmament negotiations the principle of a separate approach to chemical and bacteriological weapons would certainly delay the solution of the fundamental task of effective and total elimination of these weapons. That, in fact, would be a step backwards from the position which we have already reached in our negotiations.

As was succinctly stated by the representative of France in this Committee, it is hard to see “how dissociating biological weapons from chemical weapons could facilitate a solution”. He then went on to say that the use of chemical weapons:

“... is perhaps more probable and there would be reason to fear, that if they were not dealt with together with biological weapons, that any solution concerning them would be postponed indefinitely.”⁸

I submit that this correct view is shared by an overwhelming majority of delegations in this Committee. A separate approach to bacteriological and chemical weapons could also serve as a pretext for attempts at political or juridical justification of retaining the stockpiles of either of these weapons in military arsenals of States. Without prejudice to the final form of a total prohibition and elimination of chemical and bacteriological weapons, the three sponsors of draft resolution A/C.1/L.527 have included in paragraph 3 of its operative part II a definition of the scope of an agreement on the prohibition and elimination of chemical and bacteriological (biological) weapons as a:

⁷ *Ante*, pp.453-455.

⁸ *Ante*, p. 568.

"... joint and full prohibition of the development, production and stockpiling of all chemical and bacteriological (biological) weapons and the exclusion of these means of warfare from the arsenals of States through their destruction or diversion for peaceful uses."

The draft resolution submitted by the socialist States takes note in an impartial way of the draft conventions and other proposals submitted so far, and requests the Conference of the Committee on Disarmament "to give urgent consideration to reaching agreement on a complete prohibition and elimination of chemical and bacteriological (biological) weapons". It further requests the Conference of the Committee on Disarmament:

"... to submit a report on progress on all aspects of the problems of the prohibition and elimination of chemical and bacteriological (biological) weapons to the General Assembly at its twenty-sixth session."

These formulations in no way prejudice either the situation or the rights of parties in disarmament negotiations while allowing for a comprehensive debate on the basis of the proposals referred to in the draft resolution.

I should like to stress that, in addition, paragraph 5 of operative part II of the draft resolution contains an appeal to all States to act in good faith in the course of negotiations on a total prohibition of chemical and bacteriological weapons and to take all the necessary steps to facilitate the achievement of such a prohibition at the earliest possible time. What we have in mind here is to create the most favourable conditions for the negotiations ahead, while, at the same time, preventing any steps, either in the military or political sphere, that would hinder such negotiations and render them more difficult. This I believe is a principle that has gained wide acceptance as one of the rules that determine the conditions of disarmament negotiations in general.

Hungary, Mongolia and Poland have submitted their draft resolution with a desire to advance the negotiations on the elimination of chemical and bacteriological weapons. We are convinced that the adoption of the draft resolution would be an important stimulus to the work of the Committee on Disarmament in this field. However, we note with satisfaction that the draft resolution submitted by the twelve non-aligned States⁹ contains a number of ideas and formulations that are identical or close to our own, and that it is based on the same approach to the question of the elimination of chemical and bacteriological (biological) weapons. It does in fact meet the objective of the draft resolution submitted by Hungary, Mongolia and Poland.

This is why the sponsors of the draft resolution contained in document A/C.1/L.527 are prepared, in a constructive spirit, to

⁹ Identical with res. 2662 (XXV), *post*, pp. 683-685.

support the draft resolution of the twelve Powers, and consequently we shall not insist on a vote on our draft. We hope that the draft resolution contained in document A/C.1/L.533 will thus meet with general support in this Committee.

We are convinced that the resolution about to be adopted will facilitate the task of the Conference of the Committee on Disarmament in Geneva, and that it will contribute effectively to an early and complete prohibition and total elimination of chemical and bacteriological weapons.

Statement by the Yugoslav Representative (Božinović) to the First Committee of the General Assembly: Chemical and Biological Weapons, November 19, 1970¹

Before I address myself to the subject of my intervention, I should like to offer my deepest sympathy, and the sympathy of the Yugoslav delegation, to the delegation of Pakistan for the disaster that has befallen that country. It is with shock and sorrow that we follow the events, in which tens of thousands of lives have already been lost and enormous damage has been caused to that part of Pakistan.

Today I have the honour, on behalf of twelve delegations—Argentina, Brazil, Burma, Ethiopia, India, Mexico, Morocco, Nigeria, Pakistan, Sweden, the United Arab Republic and my own, Yugoslavia—to introduce draft resolution A/C.1/L.533, under agenda item 28 entitled “Question of chemical and bacteriological (biological) weapons”.²

The sponsors of the draft resolution are those same countries which submitted to the Conference of the Committee on Disarmament, on 25 August 1970, the Joint Memorandum (document CCD/310) on the question of chemical and bacteriological (biological) methods of warfare.³ The submission of this draft resolution is, in fact, a continuation of the efforts of those countries to find a way out of the difficulties encountered in the Committee on Disarmament in trying to solve the complex problem of chemical and biological warfare and to accelerate its solution.

Under the fifth preambular paragraph of the proposed draft the General Assembly would express its deep conviction

... that the prospects of international peace and security, as well as the achievement of the goal of general and complete disarmament under effective international control, would be enhanced if the development, production and stockpiling of chemical and bacteriological (biological) agents for purpose of war were to end and if they were eliminated from all military arsenals.

¹ A/C.1/PV.1765, pp. 11-15.

² Identical with res. 2662 (XXV), *post*, pp. 683-685.

³ *Ante*, pp. 453-455.

It is precisely because of that conviction that the sponsors attach great importance to the speedy solution of this problem and expect that the Conference of the Committee on Disarmament will be in a position to accelerate its efforts in this field and to concentrate on the most important aspects of that complex problem.

Since the draft resolution appears to be self-explanatory, I do not intend to go into any analysis or explanation of its paragraphs. This actually would be unnecessary, also, after the numerous references that have been made here during our general debate to the memorandum, in document CCD/310, of the twelve countries, and after the wide support given to it. It is my duty, however, to point to the main aspects of the proposed resolution, offering certain brief comments.

After having duly taken note of the existing substantive revised drafts in their chronological order, and also of the working papers, expert views and suggestions put forward both in the Committee on Disarmament and in the First Committee, and after having taken note also of the joint memorandum of the twelve countries, the General Assembly, under operative paragraph 5 of the draft resolution in document A/C.1/L.533 would commend

... the following basic approach contained in the joint memorandum for reaching effective solution of the problem of chemical and bacteriological (biological) methods of warfare:

(a) It is urgent and important to reach agreement on the problem of chemical and bacteriological (biological) methods of warfare;

(b) Both chemical and bacteriological (biological) weapons should continue to be dealt with together in taking steps towards the prohibition of their development, production and stockpiling and their effective elimination from the arsenals of all States;

(c) The issue of verification is important in the field of chemical and bacteriological (biological) weapons, and that verification should be based on a combination of appropriate national and international measures, which would complement and supplement each other, thereby providing an acceptable system which would ensure effective implementation of the prohibition.

The part of the draft resolution that I have just quoted is the basic approach which the General Assembly would commend for the solution of the problem of chemical and biological methods of warfare.

The draft resolution later on requests the Committee on Disarmament to continue its consideration of the problem of chemical and biological methods of warfare with a view to the urgent prohibition of their development, production and stockpiling, and to their elimination from the arsenals of all States.

The sponsors of the draft resolution firmly believe that, by adopting it, the General Assembly would provide the Conference of the Committee on Disarmament with an important specific recommendation for its further work in the field of chemical and biological weapons.

The sponsors also believe that this draft resolution is a comprehensive and well-balanced one. It has incorporated, so as to

make it as widely acceptable as possible, substantial parts of both draft resolutions submitted earlier by the delegation of the United Kingdom, in document A/C.1/L.526,⁴ and by the delegations of Hungary, Mongolia and Poland, in document A/C.1/L.527.⁵ At the same time, if adopted, this resolution will, we believe, contribute to the efforts aimed at solving the complex problem of chemical and biological weapons.

Now, after we have heard the statements by the representatives of the United Kingdom⁶ and of Poland,⁷ I should like to express our satisfaction and gratitude for their understanding and their contribution to our common effort to end up with a simple draft resolution.

In conclusion, I wish to express the hope of the twelve sponsors that our draft resolution will be adopted unanimously.

Statement by the French Representative (de la Gorce) to the First Committee of the General Assembly: Chemical and Bacteriological Weapons, November 19, 1970¹

My delegation would like first of all to join its voice to your own, Mr. Chairman, and to those of delegations whose representatives have spoken before us, in the expression of sympathy to the delegation of Pakistan. France was deeply moved and shocked by the catastrophe that befell Pakistan and, from the bottom of our heart, we share the grief of that country and the feeling of solidarity. We shall take part in the effort to assuage the sufferings of the victims of this tragedy.

Last year, the French delegation came out in favour of resolution 2603 B (XXIV), which stressed the urgency of the speediest possible elimination of chemical and biological weapons.² We stated then that, if there was progress still to be made in the field of those weapons, it had to do not with the prohibition of their use in war—a question which had already been settled on condition that all States adhered to the 1925 Protocol³—but rather with their manufacture and stockpiling. We were the first to recommend an initiative in that direction in our answer on 12 [19?] August 1968⁴ to the Soviet memorandum on disarmament dated 1 July of that same year.⁵

⁴ *Ante*, pp. 559-561.

⁵ *Ante*, pp. 561-563.

⁶ *Ante*, pp. 620-622.

⁷ *Supra*.

¹ A/C.1/PV.1765, pp. 16-20.

² *Documents on Disarmament*, 1969, pp. 717-719.

³ *Ibid.*, pp. 764-765.

⁴ *Ibid.*, 1968, pp. 584-586.

⁵ *Ibid.*, pp. 466-470.

While voting in favour of that resolution, we expressed reservations, however, about its last section which postponed the study of the problem of chemical and bacteriological weapons to the Conference of the Committee on Disarmament: we thought that that body was possibly not the most appropriate for the consideration of questions of direct interest to all the signatories of the 1925 Protocol.

Experience seems to have confirmed the correctness of our reservations, since the debate here on the report of the Conference of the Committee on Disarmament in the matter of chemical and bacteriological weapons has shown no substantial progress. Once again the draft resolution submitted to us, A/C.1/L.533, which comes at the end of our consideration, invites the General Assembly to send the matter back to the Geneva body.⁶ In the circumstances my delegation has some hesitation about encouraging, by its vote, the continuation of a procedure which, until now, has not yielded the results rightly expected of it by world public opinion.

Further, the procedure envisaged in the draft resolution does not, with sufficient clarity, provide for the study of what is undoubtedly the main condition for the effective prohibition of the manufacture of bacteriological weapons, namely, the study of methods for controlling such prohibition.

It is true that this draft resolution does contain a clause which, quite rightly, stresses the importance of the problem of verification. But is that sufficient? We doubt it. It seems to us that additional progress really could have been achieved this year. A group of experts, for example, nominated by the Secretary-General and offering therefore all necessary guarantees for impartiality could have been entrusted with the preparation for the next session of the General Assembly of a report on the whole gamut of questions raised by control over the prohibition of the manufacture of chemical and bacteriological weapons. The complexity of this problem and its importance require, in fact, that it be dealt with with maximum objectivity and without taking into account any specific draft convention.

That was the intention of what the representative of France said in this room on 9 November⁷ when he reminded the Commission of the interest with which our delegation had greeted the idea put forward by the representative of Japan that experts could be consulted on problems relating to the control of chemical and bacteriological weapons.⁸ We said then that the French delegation would be very happy to co-sponsor a draft which would request the Secretary-General of the United Nations to gather under his high authority, as he has done in the past for other studies relating

⁶ Identical with res. 2662 (XXV), *post.*, pp. 683-685.

⁷ *Ante*, p. 568.

⁸ *Documents on Disarmament*, 1969, p. 412.

to disarmament, a group of experts who would study the question of control.

That idea is absent from the draft resolution on which we now have to take a decision. This draft adheres to a formula which stresses the importance of the problem of verification. But, although it is good as far as it goes, it is not sufficient. We are indeed in agreement with some of the principles to be found in this draft: we approve of the preamble and operative paragraphs 1, 2, 3, 4 and 5. But, once again, we deplore the absence of a specific proposal relating to the ways and means of studying the various aspects of the problem of control, and without control what would be the use of agreeing to the elimination of chemical and bacteriological weapons? Neither can we, for the same reasons, agree to the procedure of study recommended in operative paragraphs 6 and 7.

That is why the French delegation, deeply interested in the conclusion of a convention prohibiting the manufacture of chemical and bacteriological weapons, but also wishing to see a serious convention providing for control and guarantees, will abstain on this draft resolution because, on this last point, this draft does not yet contain all the necessary assurances.

**Statement by the United States Representative (Leonard) to the
First Committee of the General Assembly: Chemical and
Bacteriological Weapons, November 19, 1970¹**

The delegation of the United States will support the draft resolution contained in document A/C.1/L.533 on the question of chemical and bacteriological weapons, sponsored by the twelve non-aligned members of the Conference of the Committee on Disarmament.² We consider that it meets the criteria we proposed on 16 November, that is, it will stimulate negotiations in Geneva without prejudging in any way the outcome of those negotiations.³ The draft resolution takes into account the draft convention of the United Kingdom for the prohibition of biological methods of warfare,⁴ the revised draft convention submitted by the socialist countries for a comprehensive agreement banning the production of chemical and bacteriological (biological) weapons,⁵ and also the many valuable suggestions submitted to the Conference of the Committee on Disarmament during the course of this year's deliberations.

The fact that these suggestions cover a broad spectrum of issues and problems demonstrates that much work still remains to be

¹ A/C.1/PV.1765, pp. 24-27.

² Identical with res. 2662 (XXV), *post*, pp. 683-685.

³ See *ante*, pp. 590-591.

⁴ *Ante*, pp. 428-432.

⁵ *Ante*, pp. 533-537.

done by the Conference of the Committee on Disarmament in developing the foundations for agreement. Continued careful deliberation on the whole range of complex chemical and bacteriological warfare problems is the approach envisaged in the draft resolution contained in document A/C.1/L.533. This draft resolution reflects the memorandum of the twelve non-aligned delegations,⁶ and in fact incorporates some of its language. My delegation fully accepts the interpretation of that memorandum expressed in this Committee by the representative of Argentina, Ambassador Ortiz de Rozas, who said in his speech here on 9 November:

... nothing contained in that memorandum and nothing stated during its presentation to the Committee would permit of the supposition that it was supporting, or even favouring, either of the two opposing trends of opinion. We consider that the merit of the document derives from the fact that it carefully avoids prejudging the issue and makes possible therefore a process of negotiation.⁷

I would add that this interpretation applies equally well to the draft resolution before us.

My delegation is pleased to see that operative paragraph 3 (c) of this draft resolution takes note of the expert views put forward in the Conference of the Committee on Disarmament and in this Committee. In view of the many complex technical problems involved in the development of agreements in the chemical and bacteriological warfare field we are convinced that the assistance of experts can greatly facilitate our work. We are therefore gratified that the expert views expressed in Geneva have been and will continue to be taken into account.

Paragraph 5 of the draft resolution refers to the "basic approach contained in the joint memorandum for reaching effective solution of the problem of chemical and bacteriological (biological) methods of warfare". The three sub-paragraphs in paragraph 5 are all based on this fundamental premise, that is, the need to reach an effective—I repeat, an effective—solution of the problem posed by chemical and biological methods of warfare. As we have made clear many times, an effective solution to any arms control problem is a reliable and stable solution and thus requires adequate verification. This point has been particularly underlined by several of the speakers who have preceded me this morning. Paragraph 5 (b) of the draft resolution contained in document A/C.1/L.533 says that, both chemical and bacteriological (biological) weapons should continue to be dealt with together in taking steps towards their prohibition; not one step, but steps, in the plural. In other words, we are to reach an effective solution to the problem and this solution may be through a series of actions, all of them representing steps toward our goal.

⁶ *Ante*, pp. 453-455.

⁷ A/C.1/PV.1754, p. 32.

It would, of course, be consistent with this approach for us to reach agreement to ban biological agents and toxins, along the lines of the United Kingdom draft convention, while continuing our work [on the problem of chemical] agents. A crucial aspect of the problem for which we must reach an effective solution is stated in paragraph 5 (c), that is, to develop an acceptable system of verification which would ensure effective implementation of the prohibition. As the representative of the United Kingdom said before this Committee on 4 November:

The ideas for verification of chemical weapons have been ingenious and clever, but, as I have said, they are far from adequate as yet and there is much more hard work to be done in this field.⁸

The draft resolution in document A/C.1/L.533 will encourage us to continue this work and we hope that it will receive the widest support.

Statement by the Soviet Representative (Roshchin) to the First Committee of the General Assembly: Chemical and Bacteriological Weapons, November 19, 1970¹

We also want to make a statement to explain our vote and to stress that we fully support the position expressed by the representative of Poland.² At the same time we would like to stress that the draft resolution upon which we are now voting is based on the memorandum of the twelve non-aligned countries presented to the Conference of the Committee on Disarmament.³ In the Conference of the Committee on Disarmament as well as here in the General Assembly we have stressed many times that the essential idea of the memorandum was to consider together the question of the prohibition of chemical and bacteriological (biological) weapons. Thus the fundamental idea expressed in the memorandum of the non-aligned countries is fully reflected in the draft resolution now about to be put to a vote. Therefore we consider that the draft resolution of the twelve non-aligned countries brings us significantly closer to a solution of our problem, that is to say, the simultaneous consideration of the prohibition of chemical and bacteriological weapons.

With regard to the question of control, the draft resolution fully reflects the position which we have often advanced in the Conference of the Committee on Disarmament as well as in the General Assembly; in other words, that verification must be based on a combination—I stress this—of national and international

⁸ A/C.1/PV.1750, p. 31.

¹ A/C.1/PV.1765, pp. 27-28.

² See *ante*, pp. 622-626.

³ The draft res. was identical with res. 2662 (XXV), *post*, pp. 683-685. The twelve-nation memorandum appears *ante*, pp. 453-455.

measures which would be complementary and which would therefore ensure an acceptable system of control which would guarantee effective compliance with the prohibition.

For reasons which we have given often in the past in the Conference of the Committee on Disarmament and in the General Assembly, we would like to say that we welcome the draft resolution of the twelve non-aligned countries and that we shall vote in favour of it.

Statement by the Romanian Representative (Diaconescu) to the First Committee of the General Assembly: Economic and Social Consequences of the Armaments Race, November 19, 1970¹

The draft resolution submitted in document A/C.1/L.535 entitled "Economic and social consequences of the armaments race and its extremely harmful effects on world peace and security" is sponsored by the delegations of twenty-four countries.²

That draft resolution is the result of painstaking consultations in which other delegations have also participated and made their contributions. The sponsors have tried in drafting the text to take into consideration as widely as possible the views expressed in the course of our debates as well as the suggestions made by some delegations in this connexion.

In the circumstances, it is not our intention to go back over the reasons which led to the inscription on the agenda of this session of the item concerning the consequences of the armaments race, because they were set forth in full detail in the course of the debates on that item. In the opinion of the Romanian delegation, the magnitude and the multiple consequences of the armaments race—as has been very clearly brought out in the course of the current session—are the source of deep and increasing concern on the part of the Members of the United Nations and of all States of the world.

Owing to that fact, we consider that it is quite right to look for ideas and solutions with a view to adopting effective measures likely to contribute to a halt in the armaments race and to the attainment of concrete progress towards disarmament.

This is the background of the twenty-four-Power draft resolution. I should like now to refer briefly to the principal

¹ A/C.1/PV.1765, pp. 31-35.

² *Ibid.*, pp. 613-615.

provisions of that document. As can be seen, the preambular part contains a number of considerations which, in our opinion, are designed to bring out the dangers created by the rate and the magnitude of the armaments race and of military expenditure, the burden that this represents for all peoples, the effects of the armaments race at the economic, social and security levels, the need to undertake action designed to put an end to the armaments race and to make progress towards the goal of general and complete disarmament. The existing relationship between efforts designed to achieve disarmament and those devoted to the economic and social progress of nations is also underlined.

The operative part of the draft resolution contains a provision requesting the General Assembly to call upon "all States to take effective steps for the cessation of the armaments race". In addition, the Assembly would request

"the Conference of the Committee on Disarmament to continue with a sense of urgency to pay due attention to all questions meant to put an end to the armaments race, particularly in the nuclear field".

An essential element of the operative part of the draft resolution is the fact that the Secretary-General is being requested "to prepare, with the assistance of qualified consultant experts appointed by him, a report on the economic and social consequences of the armaments race and of the military expenditure".

The Governments of Member States, non-governmental and international institutions and organizations are also being called upon to make their contributions to the report that it is proposed should be transmitted to the General Assembly for consideration at its next session.

As is well known, the idea of preparing such a study was suggested this year by the Secretary-General; our debates have demonstrated that it commands general attention.

For its part my delegation is convinced that such a study would make it possible, under the aegis of the United Nations, to carry out a needed and useful evaluation of the consequences of the armaments race, which would make it possible better to know and better to grasp the effects of this negative phenomenon on the life of nations, on peace and on security and to take appropriate measures to eliminate them.

In conclusion, may I offer our very sincere thanks to all those delegations which, through their ideas and suggestions, have co-operated with us in the drafting of the text.

The Romanian delegation expresses the hope that since the twenty-four-Power draft resolution is devoted to a question of general interest it will meet with the support of Member States.

**Statement by the United States Representative (Leonard) to the
First Committee of the General Assembly: Economic and Social
Consequences of the Armaments Race, November 19, 1970¹**

We will be pleased to lend the support of the United States delegation to the draft resolution contained in document A/C.1/L.535, sponsored by Romania and a number of other delegations,² because we believe that a report by the Secretary-General on the economic and social consequences of the arms race and of military expenditure can provide helpful material for our future work. To be useful the report will, of course, have to weigh carefully and objectively the consequences of all arms expenditure, nuclear and conventional. The value of the report will also be enhanced by the extent to which Governments heed the request for co-operation contained in paragraph 4, and particularly by the extent to which they provide the Secretary-General with relevant data on their military expenditure over the past several years.

I should add that the United States Government is deeply concerned, as I presume are also other Governments present here, that the limited resources of the United Nations be used efficiently. In our view the report called for in this draft resolution can be produced with the assistance of a relatively small group of qualified experts at a cost of not more than \$150,000. We are, accordingly, voting for the draft resolution on the understanding, which we have discussed with the Romanian delegation, that every effort will be made to limit the cost of the study to that sum.

**Statement by the Soviet Representative (Zakharov) to the Second
Committee of the General Assembly: Economic and Social Con-
sequences of Disarmament [Summary], November 19, 1970³**

Mr. Zakharov (Union of Soviet Socialist Republics) emphasized the need to put an end to the arms race, which was a heavy burden on mankind and considerably increased the danger of war. Experience had shown that a solution to the problem of disarmament was extremely difficult to find. Nevertheless, his country was opposed to pessimistic attitudes which were not conducive to disarmament, since it was convinced that disarmament was possible if all States and all Governments wanted it; his country was willing, on a reciprocal basis, to go as far as general and complete disarmament.

Measures of general and complete disarmament were directly linked with the negotiations on that question. Those negotiations

¹ A/C.1/PV.1765, p. 36.

² *Ante*, pp. 613-615.

³ A/C.2/SR.1344, pp. 3-4.

should be intensified and should take into account the real factors involved in solving the problems considered. The practical implementation of disarmament measures was also linked with the adoption of clearly defined commitments. The more commitments undertaken by States in that area, the more effective the agreements reached would become. With regard to nuclear disarmament, it was absolutely essential that all the nuclear Powers should participate in the disarmament measures. Agreements relating to partial disarmament measures and the limitation of the arms race represented positive progress along the road to general and complete disarmament, which was why his country was doing everything in its power to reach agreement on partial measures. A useful complement to such partial measures could be found in the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and Ocean Floor and in the Subsoil Thereof.⁴ The work done by the Committee on Disarmament, which had submitted the draft treaty to the General Assembly, had been productive, and the treaty had already been adopted by the First Committee by a very large majority. His country was constantly endeavouring to reduce international tension and to eliminate the obstacles to general and complete disarmament. However, the adoption of specific disarmament measures was meeting with stubborn opposition from forces in favour of the arms race. If the world really wanted specific and constructive results to be achieved in the economic and social field as the result of disarmament, the resistance of those forces ought first of all to be overcome. The economic and social consequences of disarmament could become a live issue only if practical measures were taken in the field of disarmament itself. That was why the group of socialist countries had declared, in their statement contained in document A/8074, that the Second Development Decade must be a decade of important advances in the field of general and complete disarmament, the destruction of stockpiles of nuclear, chemical and bacteriological weapons and the means of delivering them, the elimination of foreign military bases and the peaceful settlement of territorial disputes. Only practical disarmament measures by all countries would permit the release of the resources required to solve social and economic problems. The adoption of practical measures in the field of disarmament was impeded by a lack of good will on the part of certain countries, which were responsible for the continuation of the arms race. His country intended to continue to take part in United Nations studies of the economic and social consequences of disarmament. The draft resolution before the Committee, however, went beyond the scope of United Nations research activities in that field and his delegation could not support it in its present form.⁵ In fact, a real solution to the

⁴ *Ante*, pp. 475-479.

⁵ *Ante*, pp. 578-579.

problem of utilizing the resources released by disarmament could only be found in conditions of general and complete disarmament.

Statement by the United States Representative (Olds) to the Second Committee of the General Assembly: Economic and Social Consequences of Disarmament [Summary], November 19, 1970¹

Mr. Olds (United States of America) said that despite the brilliant statement by the representative of the Philippines,² his delegation would not be able to support the draft resolution under consideration, at least in its present form.³ Admittedly, ambiguity was often the servant of diplomacy, but in view of the complexity and importance of the problems concerned, it was necessary to define them carefully. His country's position with regard to disarmament had already been stated on many occasions, in particular by President Nixon at the commemorative session of the twenty-fifth anniversary of the United Nations.⁴ The United States, like any other State, could put forward no objection of principle regarding the search for a solution to such crucial problems, but a number of reservations had to be stated. From the procedural standpoint, as a number of other delegations had already said, it should be pointed out that the problems of disarmament were also under consideration by the First Committee and the Committee on Disarmament and that, in addition, bilateral consultations on the question were being held at Helsinki. Moreover, it was doubtful whether the Secretary-General was entirely competent to draw up a plan of action and guidelines for submission to the Member States on questions of such great importance. Finally, the Strategy recently adopted⁵ already included some of the measures mentioned in the draft resolution. In the circumstances, what was needed was not an additional plan for the utilization of resources to be released but rather the resources themselves. What was more, after it had been decided that the developing countries should not be told what steps to take, it did not seem very appropriate to issue instructions to the developed countries. It should be borne in mind that the choice of the policy to be followed was one of the prerogatives jealously guarded by Governments and that legislative bodies, at least in the United States, would consider it impertinent if an international organization presented them with guidelines regarding the utilization of public resources. It would no doubt be possible for the international forums to try to influence public opinion, but the present

¹ A/C.2/SR.1344, pp. 7-8.

² *Ante*, pp. 619-620.

³ *Ante*, pp. 578-579.

⁴ *Ante*, pp. 529-533.

⁵ See General Assembly *Official Records: Twenty-fifth Session, Supplement No. 28* (A/8028), pp. 39-49.

wording of the draft resolution seemed unsatisfactory. Moreover, since so many experts were already dealing with the problems concerned, it hardly seemed likely that the operative part of the draft resolution would facilitate the Secretary-General's task. On the contrary, it might complicate it and the draft resolution might introduce an element of confusion. As other delegations had already said, it did not seem the time to concentrate solely on the super Powers since studies carried out by the Secretary-General had shown that the burden of responsibility for armaments weighed on all countries and that the developing countries devoted to military expenditure three times what they received in the form of aid. It should also be borne in mind that their military budgets were increasing more rapidly than their GNP and also more rapidly than the military budgets of the developed countries.

Lastly, the decisions already taken, particularly in the context of the Strategy, would enable the Secretary-General to act without any need for a new text. He also wondered whether it would not be wiser to allocate direct to development the funds which would be necessary for the implementation of the draft resolution.

Statement by the Philippine Representative (Brillantes) to the Second Committee of the General Assembly: Economic and Social Consequences of Disarmament [Summary], November 19, 1970¹

Mr. Brillantes (Philippines) announced that Colombia had become a sponsor of draft resolution A/C.2/L.1124.² Many speakers had reiterated their dedication to the cause of disarmament and their keen awareness of the urgency of ensuring the development of the developing countries. It had become clear that the difference of opinion in the Committee was not between the developed and the developing countries. He was certain that the Secretary-General and his staff would implement the draft resolution, if it was adopted, with the utmost objectivity.

He had also introduced some substantive changes in the light of members' comments. The beginning of the fourth preambular paragraph had been revised to read: "*Encouraged* that the super-Powers have at last recognized that there are compelling reasons to prevent . . ." Operative paragraph 1 (c) had been incorporated in operative paragraph 1 (a), which had been revised to read:

"To formulate proposals for the guidance of Member States, the specialized agencies and the IAEA, other organizations in the United Nations family, as well as non-governmental organizations

¹ A/C.2/SR.1345, pp. 2-4.

² *Ibid.*, pp. 578-579.

concerned, in order to establish the link between the Disarmament Decade and the Second United Nations Development Decade so that an appropriate share of the resources that are released as a consequence of progress towards general and complete disarmament would be used to increase assistance for the economic and social development of developing countries;"

The concluding part of operative paragraph 1 (b) following the words "intensified negotiations" had been revised to read: "aimed at progress towards general and complete disarmament under effective international control".

Operative paragraph 2 had been revised to read: "*Requests* member States, specialized agencies and the International Atomic Energy Agency, other organizations in the United Nations system as well as non-governmental organizations concerned . . .". In operative paragraph 3, the words "through the Economic and Social Council" had been inserted after the word "hereon".

The Chilean representative's suggestion that the resolution should mention a specific percentage of the resources released by disarmament which should be allocated for the development of the developing countries could be taken into account by Governments when they prepared their comments pursuant to operative paragraph 2 of the draft resolution. As to that representative's suggestion that the Secretary-General should consult intergovernmental experts, he pointed out that the report would in any event be reviewed by government representatives when it was submitted to the General Assembly.

Turning to the objections raised by the United States representative,³ he said, firstly, that adoption of the draft resolution definitely would not lead to a conflict of jurisdiction between the First and Second Committees, both of which, ever since the item had been placed on the agenda of the General Assembly, had been considering the aspects of the disarmament question falling within their respective fields of competence. It was only fitting that the Second Committee, which had prepared the International Development Strategy, should take the initiative in establishing a link between disarmament and development.

Secondly, the objection that the report would lead to duplication of efforts was unfounded, for he was confident that the Secretary-General would include only matters relating to the economic and social aspects of disarmament.

Thirdly, the assertion that the draft resolution presumed to instruct Governments was equally groundless, for the Secretary-General was merely requested to formulate proposals for the guidance of Governments, which were requested to submit their own comments and recommendations. In any event, the Secretary-General's proposals would be reviewed by the General Assembly.

³ *Supra*.

Fourthly, it was a sign of pessimism to state that the draft resolution was counter-productive. New ideas required time to mature, and once the report was before the General Assembly in 1973, the concept of a link between disarmament and development would be more firmly established.

Statement by the United States Representative (Olds) to the Second Committee of the General Assembly: Economic and Social Consequences of Disarmament [Summary], November 19, 1970¹

Mr. Olds (United States of America) said he wished to explain why the suggestions made by the Philippines² did not meet the four difficulties that the United States had with the draft resolution.³

With respect to the jurisdictional problem, he had not intended to suggest that the Second Committee had no responsibility for considering the economic and social consequences of disarmament. The draft resolution had originally requested the Secretary-General to prepare a plan of action, and that had now been changed to a request that he should formulate proposals. However, his basic understanding of the draft resolution was unaltered. A plan of action to establish a link between disarmament and development must necessarily be addressed to both of the items it was proposed to link. There was already a resolution before the First Committee on the subject, and another committee established by the General Assembly was also working on the disarmament problem, to establish guidelines and policies. In addition, there was the Second Committee's own action concerning the Strategy for the Second Development Decade.⁴

He believed that the resolution sought to do more than just say there was a link between disarmament and development. He did not understand the meaning of the phrase "to formulate proposals for the guidance of Member States" if it did not refer both to disarmament and to development, with a view to establishing a link between them. It would be more appropriate for the United Nations bodies concerned with disarmament to produce plans or proposals so that a committee of experts could be established to advise the Secretary-General.

With regard to the problem of duplication, the proposals to be put to Member States must have a specific content, and if they concerned disarmament, then the competence of the duly constituted bodies must be drawn on; otherwise, there would be

¹ A/C.2/SR.1345, pp. 6-8.

² *Supra*

³ *Ante*, pp. 578-579.

⁴ See General Assembly *Official Records: Twenty-fifth Session, Supplement No. 28* (A/8028), pp. 39-49.

duplication. But if the competence of those bodies was to be made use of, it would be better to leave the question to them. Nothing in the revised text of the draft resolution met his objection that Governments were entitled to allocate as they saw fit any resources that might be released by disarmament. The new wording of operative paragraph 1 (a) "to formulate proposals for the guidance of Member States" still implied that the Secretary-General was being asked, with the assistance of advisers, to instruct Governments on how they should dispose of their own resources. The Government of the United States would certainly regard that as presumptuous.

The representative of the Philippines had asked how the revised text could be regarded as counter-productive. If one of the aims of the draft resolution was to mobilize public opinion and government action in establishing a link between disarmament and development, and moving towards disarmament and towards the release of funds for development, it was important that Governments should say whether or not the proposed action would help to that end. As far as the United States Government was concerned, the draft resolution was counter-productive.

The fourth preambular paragraph stated: "that the super-Powers have at last recognized that there are compelling reasons to prevent what might become an uncontrollable escalation of the nuclear arms race". The United States Government would regard that statement as impertinent, in the light of its twenty-five years of effort in the United Nations and elsewhere to make progress in disarmament. It was simply not true that the United States had only now recognized the compelling reasons referred to, and such a suggestion would be regarded by the United States people and their Government as an affront. It was counter-productive to suggest what the motives of Governments might be, and the draft resolution, designed to help improve the situation, in fact would make it harder for his Government to respond to the basic intentions of the sponsors.

It was an unwise limitation of the draft resolution to refer specifically in the preamble to the great Powers. The question of the relationship between disarmament and development was not one for any particular Government or group of Governments. The Secretary-General's report, based on replies from Governments, had shown that the high cost of arms was a typical problem in developing countries, where weapons expenditure was rising faster and constituted a drain on development capacities.⁵ Furthermore, the deletion from operative paragraph 1 of the reference to "limitations of arms" made the draft resolution less generally applicable to all Governments, large or small, and left only the general and abstract hope of progress towards general and complete disarmament.

⁵ See *Documents on Disarmament*, 1962, vol. 1, pp. 42-48.

In short, he did not find that the problems he had raised at the preceding meeting were in essence solved by the changes proposed. The United States did not oppose any effort to link the promise of disarmament with the release of resources for economic and social development, or appropriate discussions of the economic and social consequences of disarmament. But it did oppose the implications of some elements of the draft resolution, which presumed to propose measures to use resources that were not yet available. It would be better to concentrate on the separate problems of disarmament and development, while affirming the link between them, and not to consider spending \$65,000 to implement the draft resolution.

Statement by the Mexican Representative (Garcia Robles) to the First Committee of the General Assembly: Comprehensive Program of Disarmament, November 20, 1970¹

I took the liberty of asking to speak now solely because my duties in the Department of Foreign Affairs of my country oblige me to leave tomorrow for Mexico and I shall be absent from New York for more than a week. It will therefore be impossible for me to return to New York in time to submit this document when disarmament questions are being discussed in the First Committee. I therefore wish to thank the Chairman and the members of the Committee for kindly allowing me to take the floor.

Before formally presenting this draft, which I shall do very briefly, I would like to express my delegation's deepest sympathy to the representative of Pakistan on the tragedy that has plunged his country into mourning.

I have the honour formally to submit to this Committee the draft resolution sponsored by the delegations of Ireland, Morocco, Pakistan, Sweden, Yugoslavia and Mexico, contained in document A/C.1/L.537.² Adoption of this draft by the General Assembly would basically imply two things: first, a recommendation from the most representative organ of the international community to the Conference of the Committee on Disarmament that in its future deliberations the latter take into account the comprehensive disarmament programme annexed to the draft resolution,³ which obviously leaves open the door to considering any other suggestions concerning disarmament that might be forthcoming in the Conference; secondly, it would be an invitation to all States to use that comprehensive disarmament programme as a guideline for their disarmament measures and activities.

¹ A/C.1/PV.1767, pp. 2-7.

² *Ibid.*, pp. 611-612.

³ The program was substantially identical with the six-nation paper of Dec. 1 (*post*, pp. 653-658).

With regard to the contents of the programme annexed to the draft resolution, I should first like to stress the fact that we, the sponsors of the original text submitted to the Committee on Disarmament on 27 August 1970,⁴ agreed to include in it a number of changes and modifications, which attests to our conciliatory approach and our readiness to consider opinions from all those delegations that have seen fit to contact ours.

The significance, scope and purposes of the programme are, however, still the same as those of the original document and it could not be otherwise. My comprehensive statement of 9 November concerning that programme makes it unnecessary for me to restate its aims today. I would merely recall that, as I said at that time, the basic objective of the programme is to contribute to the correct channelling of disarmament negotiations so that progress could be made not only on collateral measures but also on those measures that form an integral part of the process of general and complete disarmament under effective international control. As the General Assembly itself has reaffirmed, that is still the most important question confronting the world today and the objective that is most in keeping with the aspirations of all the peoples of the earth.

It would, I think, be superfluous to point out every change made to the original text. We are convinced that a careful comparison of the two texts, which doubtless members of the Committee will make, will enable them fully to appreciate what I have termed a spirit of understanding and compromise after the prolonged conversations that led to the amendments that have been introduced, during which the representative of Morocco, who is now one of the sponsors of our draft resolution, made a highly constructive contribution, the other five sponsors of that draft join me in hoping that the moment has come for the comprehensive disarmament programme to be presented for the formal consideration of the Conference of the Committee on Disarmament.

We fully realize that the possibilities of formulating a programme of this nature are infinite. Yet we believe it is high time for the Committee's record specifically to show the respective positions of delegations on this outstandingly important matter so that in future the positions taken in light of the fundamental aim of the programme I outlined a few moments ago can be quite objectively assessed.

On 5 November, at the Committee's 1751st meeting, one of the most prominent members of the Committee on Disarmament, spoke in his eloquent statement of the draft programme that served as the basis for what now appears as an annex to the draft resolution which I am introducing, and referred to it as

⁴ *Ante*, pp. 459-465.

... a serious and constructive document which deserves most thorough attention and consideration by the General Assembly, now that it is called upon to set the guidelines and the targets for the Decade. ... It cannot be discarded, ignored or set aside for the sake of the often-invoked considerations of political realism. It is in fact the most significant document to emerge from the last sessions of the Conference of the Committee on Disarmament. It preserves the concept of general and complete disarmament and, if adopted by the General Assembly, with the changes and amendments which might be deemed convenient, it would prove to the world that the Agreed Principles of 1961 still stand and that disarmament is still a serious question in the agenda of the United Nations. ...⁵

It would in fact, I think, be presumptuous for the sponsors of the draft comprehensive programme of disarmament to echo such generous appreciations of its value, even though we have heard in this Committee room other equally laudatory statements from representatives of the most diverse regions of the world. But what we can and do fully share is the opinion expressed by all that it is our duty to wait no longer to pronounce ourselves on it.

We hope that the General Assembly will show, by approving the draft resolution we are submitting, that the best is the enemy of the good and that in the choice between the continuation of sterile Byzantine discussions on the matter in the Committee on Disarmament and the concentration of the efforts of the Committee on Disarmament on tasks that brook no delay—such as those covering the prohibition of the development, production and stockpiling of chemical and biological weapons and the destruction of arsenals of such weapons, as well as the prohibition of underground nuclear-weapon tests, to give only two examples—there can be no wavering. Further, between a comprehensive programme of disarmament, that is theoretically perfect and that might ultimately be adopted—who knows?—by the year 2000, and the modest recommendation that another programme which is already prepared and is, regardless of its flaws, a balanced programme offering reasonable guarantees of effectiveness and capable of showing its beneficial effects immediately, the decision is an easy one, since it is, obviously, the second alternative that must be adopted.

Revised Maltese Draft Resolution Introduced in the First Committee of the General Assembly: New Techniques of Uranium Enrichment, November 23, 1970¹

The General Assembly,

Noting that all States have the inalienable right to develop research, production and use of nuclear energy for peaceful purposes without discrimination,

⁵The statement by Ambassador Araujo Castro appears in A/C.1/PV.1751, pp. 42-45. For the agreed principles, see *Documents on Disarmament*, 1969, pp. 439-442.

¹A/C.1/L.534/Rev. 1, Nov. 23, 1970. After further revision by the Maltese representative (*post*, pp. 649-651), this draft became pt. C of General Assembly Resolution 2661 (XXV), *post*, pp. 681-683.

Aware of the development of new techniques of uranium enrichment,

Considering that these new techniques may contribute to the promotion of the use of nuclear energy for peaceful purposes,

Considering also that these new techniques may be utilized for military purposes unless subject to effective safeguards,

Noting that the International Atomic Energy Agency is engaged in the study of safeguards under the Treaty on the Non-Proliferation of Nuclear Weapons,²

1. Requests the International Atomic Energy Agency to pay particular attention to the safeguards required with respect to new techniques for uranium enrichment;

2. Requests further the International Atomic Energy Agency to inform the General Assembly at its twenty-sixth session on its consideration of this subject.

Statement by the United States Representative (Leonard) to the First Committee of the General Assembly: Peaceful Nuclear Explosion Services, November 25, 1970¹

The question has been raised of the relationship between the development for peaceful purposes of a nuclear explosive device by a non-nuclear-weapon State and the proliferation of nuclear weapons. The position of the United States has been stated repeatedly by United States representatives. For example, on 8 June 1967, Ambassador William Foster, then Director of the Arms Control and Disarmament Agency and the United States representative to the Eighteen Nation Disarmament Committee, told that Committee:

... a nuclear explosive device capable of moving vast quantities of earth in an uninhabited area is also a nuclear explosive capable of destroying a city and its inhabitants. No amount of argumentation can obscure this fact or its implications.

... So we must return to that one indisputable fact. A nuclear explosive device for peaceful purposes could be used as a nuclear weapon. Both have one significant, relevant characteristic as far as a non-proliferation treaty is concerned. Both can be used to threaten, to attack, to destroy.²

On 25 January 1968, Mr. Adrian Fisher, then Deputy Director of ACDA, told the Eighteen Nation Disarmament Committee that:

... the acquisition of the technology of nuclear explosions would be contrary to the very concept of non-proliferation.

He added:

... it is an indisputable technological fact that the development and manufacture of nuclear explosive devices intended for peaceful uses is indistinguishable from the development and manufacture of nuclear weapons.³

² Documents on Disarmament, 1968, pp. 461-465.

¹ A/C.1/PV.1772, pp. 27-28.

³ Documents on Disarmament, 1967, pp. 253-254.

⁴ Ibid., 1968, p. 27.

Similar statements were also made by Ambassador Goldberg in the First Committee on 26 April 1968,⁴ and they have just been quoted by the representative of Pakistan.

My Government remains convinced that the technology involved in producing nuclear explosive devices for peaceful purposes is indistinguishable from that involved in producing nuclear weapons, and therefore that the production of any such explosive device by a non-nuclear weapon State would be equivalent to the proliferation of nuclear weapons.

With respect to the draft resolution contained in document A/C.1/L.540,⁵ my delegation considers that it treats in a satisfactory manner the subject of preparations for the establishment of an international service for peaceful nuclear explosions, and we will support it.

Statement by the Indian Representative (Jain) to the First Committee of the General Assembly: Peaceful Nuclear Explosion Services, November 25, 1970¹

The question of nuclear explosions for peaceful purposes can only be considered in the larger context of the development of nuclear energy for peaceful purposes. The Government of India has been of the firm and consistent view that the development and benefits of the technology of nuclear energy for peaceful purposes should be available to all States without any discrimination.

All States should be free to acquire the knowledge of extracting all possible benefits from the development of nuclear energy for peaceful purposes. They should be able to do so by themselves and have the freedom to use such knowledge. Nuclear technology is the technology of the future and is likely to become a most crucial and potent instrument of economic development and social progress, particularly in the case of the developing countries. It would be invidious for a great part of the world to become dependent on a few nuclear-weapon States for the knowledge and application of this technology. India is opposed to any effort to create discrimination in the peaceful nuclear field among States according to whether or not they possess nuclear weapons as any such effort could only widen the economic and technical gap which already exists and which the developing countries are striving very hard to close. It is not the knowledge of nuclear technology or its use for peaceful purposes, but only its misuse through diversion to the production and deployment of nuclear weapons which constitutes a threat to peace.

What is, therefore, needed is action in the following two directions: firstly, urgent and concrete steps towards nuclear

⁴ *Ibid.*, p. 229.

⁵ Identical with res. 2665 (XXV), *post*, p. 689.

¹ A/C.1/PV.1772, pp. 28-30.

disarmament; and, secondly, the application of safeguards to prevent the misuse of nuclear technology. In order that safeguards be effective, they should be based on objective, scientific and non-discriminatory criteria, and should be applicable to all States without exception.

The delegation of India, in its statement before this Committee on 12 November, outlined the approach that should be adopted for seeking a solution to the question of nuclear explosions for peaceful purposes. The delegation of India stated:

India is convinced that a correct and equitable solution of the question of nuclear explosions for peaceful purposes can only be found in the context of a comprehensive nuclear test ban, and that meanwhile the discipline of the Partial Test-Ban Treaty² should be observed by all States. An international regime for peaceful nuclear explosions should be established and the benefits of technology made available to all States on a basis of equality. We agree with the proposal that, while the technical aspects of the question of peaceful nuclear explosions, including the establishment of an international service, should continue to be dealt with by the International Atomic Energy Agency, the principles governing the creation of an international regime should be discussed at the Conference of the Committee on Disarmament.³

I should now like to make a few comments on behalf of the delegation of India on the draft resolution contained in document A/C.1/L.540.⁴

As regards the establishment of an international service for nuclear explosions for peaceful purposes under appropriate international control, the International Atomic Energy Agency is fully competent to undertake this responsibility, and the Agency should, in conformity with its Statute, provide these services on a non-discriminatory basis and upon request by Member States. This represents our understanding of the draft resolution in document A/C.1/L.540, which the Indian delegation supports and will vote for. The draft resolution would have the General Assembly express its appreciation for the studies already carried out by the International Atomic Energy Agency and commend the Agency for its efforts to compile and evaluate information on the present status of the technology of nuclear explosions for peaceful purposes and make such information available on an international scale.

The delegation of India cannot agree to any interpretation of the draft resolution which goes beyond any of its provisions.

Statement by the Soviet Representative (Roshchin) to the First Committee of the General Assembly: Peaceful Nuclear Explosion Services, November 25, 1970¹

The Soviet delegation would like to make a few comments in connexion with the forthcoming vote on the draft resolution on

¹ *Documents on Disarmament*, 1963, pp. 291-293.

² A/C.1/PV.1758, p. 18.

³ Identical with res. 2665 (XXV), *post*, p. 689.

⁴ A/C.1/PV.1772, pp. 31-35.

the question of the establishment, within the framework of the International Atomic Energy Agency (IAEA), of an international service for nuclear explosions for peaceful purposes under appropriate international control.²

The position of the Soviet Union concerning the carrying out of peaceful nuclear explosions has already been stated on numerous occasions in this Committee as well as in the Committee on Disarmament. Its position on this question proceeds from the provisions of the Treaty on the Non-Proliferation of Nuclear Weapons.³ Article II of that Treaty, which has already been mentioned here by the representative of Pakistan, provides that non-nuclear-weapon States undertake not to accept nuclear weapons or any other nuclear devices or control over such weapons or devices directly or indirectly from anyone and not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices. This formulation of article II of the Treaty is based upon the objective fact, which has been stressed here already by various representatives who have already spoken, that any nuclear explosive device may be utilized as a weapon. The treaty is required to avert such a possibility.

In article V of the Treaty on the Non-Proliferation of Nuclear Weapons provision is made for the establishment of a system of international co-operation in the peaceful application of nuclear explosions, and special provisions are made that within the framework of such co-operation there should be no discrimination whatsoever. Provision is also made that the charge for the explosive devices used will be as low as possible and exclude any charge for research and development of the nuclear explosion technology itself.

The Soviet Union considers that a systematic implementation of the Treaty on the Non-Proliferation of Nuclear Weapons would provide to non-nuclear-weapon States parties to the Treaty all possibilities for obtaining the potential benefits of the peaceful uses of nuclear explosions.

The Soviet Union has already stated its attitude to the question of the role of IAEA in connexion with the use of nuclear explosions for peaceful purposes under the Treaty on the Non-Proliferation of Nuclear Weapons.⁴ The Soviet Union supported the resolution of the General Conference of the Agency on this subject, in which it is indicated that IAEA may effectively carry out the role of an international organ through which the benefits of the peaceful uses of nuclear devices may be channelled to States parties to the Treaty on the Non-Proliferation of Nuclear Weapons.⁵

² Identical with res. 2665 (XXV), *post*, p. 689.

³ *Documents on Disarmament, 1968*, pp. 461-465.

⁴ See GC(XII)/OR.121, pp. 3-4, and GC(XII)/INF/104.

⁵ *Documents on Disarmament, 1968*, pp. 667-668.

In defining its position the Soviet Union proceeds from the proposition that IAEA is an international organ specially established for co-operation in the use of atomic energy for peaceful purposes. During the course of its existence the Agency has accumulated considerable experience in the organization of international co-operation in this particular field. A special role of the Agency in regard to problems connected with atomic energy is set out in the Treaty on the Non-Proliferation of Nuclear Weapons, which gives IAEA the function of verifying that nuclear material will not be transferred for the purpose of producing nuclear weapons. It may be noted with satisfaction that IAEA has already proceeded in a practical manner with the carrying out of tasks connected with peaceful nuclear explosions under the aforementioned Treaty.

In view of these considerations, the Soviet delegation will support draft resolution A/C.1/L.540 and will vote in favour of it.

Statement by the Maltese Representative (Pardo) to the First Committee of the General Assembly: New Techniques of Uranium Enrichment, November 25, 1970¹

Mr. Chairman, I should like to thank you for permitting me to introduce the draft resolution contained in document A/C.1/L.534/Rev.1.² I shall be extremely brief.

In the first place, let me explain that the draft resolution submitted by my delegation is not intended in any way to question the inalienable right of any State to develop research, production and use of nuclear energy for peaceful purposes or to develop new technologies in the field of peaceful nuclear activities. Those rights are specifically guaranteed in the non-proliferation Treaty³ and we have incorporated the substance of the text of article IV. 1 of the non-proliferation Treaty in the first paragraph of the preamble of the revised draft resolution to make our position perfectly clear.

We also recognize, willingly and without reservation, that new methods of uranium enrichment have been developed primarily as a contribution to the peaceful uses of nuclear energy, as a delegation observed in Geneva last February. That concept has been incorporated in the third paragraph of the preamble. The reason for the submission of our original and of our revised draft resolution does not reside in the fact that we have any doubt of the entirely peaceful intentions of the countries concerned, but rather in the wide implications of the technological developments that have taken place.

¹ A/C.1/PV.1772, pp. 38-42.

² *Ante*, pp. 644-645.

³ *Documents on Disarmament*, 1968, pp. 461-465.

There are two sources of nuclear weapons, enriched uranium and plutonium. In the consideration by the United Nations of the question of the non-proliferation of nuclear weapons, it was assumed that the major danger of proliferation would derive from the large increase in plutonium production to be expected in the near future as a result of the great expansion in nuclear reactor activities.

It was also assumed that the production of enriched uranium would not be a serious problem, because the gaseous diffusion method of uranium enrichment had been mastered only by the nuclear-weapon States, because a major research and industrial effort would be required to produce enriched uranium by this method and because, even if this method of uranium enrichment were mastered, a very heavy capital investment would be needed to construct the plants necessary to accomplish the enrichment.

The development of new methods of uranium enrichment has produced a radical change in the situation. It is relevant in this connexion to observe that while the gas diffusion method of uranium enrichment was a monopoly of the nuclear-weapon States, approximately a dozen countries are developing new methods of uranium enrichment. Thus the wide dissemination of new technologies involved cannot be effectively limited. Accordingly, we share the concern expressed by the Secretary-General of the United Nations to the Conference of the Committee on Disarmament last February.⁴

The development by several countries of new techniques of uranium enrichment gives rise to a certain number of problems. Malta has ratified the non-proliferation Treaty and my Government has contacted the International Atomic Energy Agency for the purpose of negotiating an agreement under article III.4 of the Treaty. Thus, when consultation with more experienced delegations indicated that consideration by the Conference of the Committee on Disarmament of the implications of new technologies for uranium enrichment might be inopportune at the present time, we had no difficulty in revising our draft resolution. In the revision, we suggest consideration only of problems which are within the competence of the International Atomic Energy Agency. Consideration of those problems in the context of the safeguards system to be established under the non-proliferation Treaty cannot be avoided if the long-term viability of the Treaty is to be assured.

To make it perfectly clear, however, that we would not wish the International Atomic Energy Agency to ignore previously known techniques in establishing the safeguards system under the non-proliferation Treaty, I would, with your permission, Mr. Chairman, make a slight amendment to operative paragraph 1. This would be to insert the word "also" after the words

⁴CCD/PV.450, p. 9.

"International Atomic Energy Agency" in line 1 of this paragraph, and to delete the word "particular" in the same line. Operative paragraph 1 would accordingly read:

"Requests the International Atomic Energy Agency also to pay attention to the safeguards required with respect to new techniques for uranium enrichment".

Furthermore, I would propose a very slight amendment to preambular paragraph 4, to make it clearer and more precise. I would suggest, the insertion of three words after the word "that" in preambular paragraph 4, the words being "material produced by" and to substitute the word "diverted" for the word "utilized" in the same line of preambular paragraph 4. The preambular paragraph as amended would read:

"Considering also that material produced by these new techniques may be diverted for military purposes unless subjected to effective safeguards,".

We believe that the insertion of these words will make this preambular paragraph more precise.

We attach particular importance to the last paragraph of our draft resolution. We strongly believe that the General Assembly which discussed the non-proliferation Treaty over a period of years and which subsequently commended the Treaty to Member States, is at least entitled to be informed of the manner with which it is proposed to adapt to the advance of technology the safeguards system to be established under the non-proliferation Treaty. This is a fundamental right of the General Assembly which I hope will not be contested.

Statement by the Soviet Representative (Roshchin) to the First Committee of the General Assembly: Cessation of Nuclear Arms Race, November 30, 1970¹

In connexion with the discussion of the draft resolution of the non-aligned States on the question of the cessation of the nuclear arms race, in document A/C.1/L.532, I should like to explain the position of the Soviet delegation with regard to this draft resolution.²

In the operative part we find an appeal to Governments of nuclear-weapon Powers "to bring about an immediate halt in the nuclear arms race and to cease all testing as well as deployment of nuclear-weapon systems, offensive and defensive".

As everyone is well aware, ever since the appearance of nuclear weapons the Soviet Union has consistently been in favour of the

¹ A/C.1/PV.1776, pp. 3-4.

² The draft res. was identical with pt. A of res. 2661 (XXV), *post*, pp. 681-683.

banning and total elimination of these weapons of mass destruction. Guided by this purpose, for the whole course of the post-war negotiations on disarmament here in the United Nations, in the Committee on Disarmament and in other forums, the Soviet Union has tried and is still trying to ensure that nuclear weapons are taken out of military arsenals of States once and for all.

In a memorandum of the Government of the Union of Soviet Socialist Republics on certain urgent measures to cease the arms race and to achieve disarmament on 1 July 1968, which was published in connexion with the signing of the Treaty on the Non-Proliferation of Nuclear Weapons, the Soviet Union once again stressed its wish to spare mankind the danger of nuclear war and in this connexion proposed to all nuclear Powers that they immediately proceed to negotiations on the cessation of the production of nuclear weapons, a reduction of stockpiles and the subsequent full banning and elimination of nuclear weapons, under appropriate international control. The Soviet Government stated at that time its readiness to begin such negotiations with all other nuclear Powers at any time.³ In accordance with article VI of the Treaty on the Non-Proliferation of Nuclear Weapons, every participant in this Treaty has assumed the obligation as is indicated in the article I mentioned:

... to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament ...

We attach extreme importance to this obligation and we consider that the appeal to all nuclear Powers to cease the nuclear arms race is fully in accordance with the Treaty on the Non-Proliferation of Nuclear Weapons.⁴

On the basis of that position of principle with regard to the question of nuclear disarmament, the Soviet Union supports the appeal to the Governments of the States which possess nuclear weapons immediately to cease the nuclear arms race. We are of course guided—and we have repeatedly indicated this—by the fact that it is important to take essential measures for nuclear disarmament, which must be undertaken by all nuclear States.

Statement by the United States Representative (Leonard) to the First Committee of the General Assembly: Cessation of Nuclear Arms Race, November 30, 1970¹

The United States sympathizes, of course, with the general objective of this draft resolution.² As the Committee is aware, we are now engaged in the demanding task of seeking to give practical

³ *Documents on Disarmament*, 1968, pp. 466 ff.

⁴ *Ibid.*, pp. 461-465.

¹ A/C.1/PV.1776, p. 12.

² Identical with pt. A of res. 2661 (XXV), *post*, pp. 681-682.

effect to the goal of curbing nuclear armaments. The talks which we have been conducting with the Soviet Union to this end have been progressing in a serious and determined manner, and are now continuing. The issues involved are extremely complex, however, and a draft resolution such as this, laudable though its purpose might be, cannot in reality contribute to progress. For that reason my delegation will abstain.

Statement by the United States Representative (Leonard) to the First Committee of the General Assembly: New Techniques of Uranium Enrichment, November 30, 1970³

The United States is prepared to support the draft resolution contained in document A/C.1/L.534/Rev.2⁴ because it is generally consonant with our view that in peaceful nuclear activities within non-nuclear-weapon States nuclear materials should be subjected to appropriate international safeguards. I should, however, like to make a few remarks on the substance of the proposal.

First, it is our understanding that, as indicated by earlier speakers, the International Atomic Energy Agency is in fact already contemplating developing safeguard procedures for isotope enrichment plants. Further preliminary work and consultations will, however, have to be carried out before the Agency can bring this task to fruition. This is technically a highly complicated problem, and it may take some time to develop the procedures. Fortunately there is some time to do the job, since the enrichment programmes outside the nuclear-weapon States are still in a relatively early stage of development.

Secondly, we believe it is important to note, as earlier speakers have, that satisfactory safeguard procedures need to be developed to cover proven as well as new techniques of isotope enrichment. We do not interpret this draft resolution to suggest that there should be some distinction between the need to safeguard new techniques and the need to safeguard old techniques.

Six-Power Paper Submitted to the General Assembly: Comprehensive Program of Disarmament, December 1, 1970¹

INTRODUCTION

The present comprehensive programme of disarmament has been elaborated in compliance with the request made by the

³ A/C.1/PV.1776, pp. 26-27.

⁴ Identical with pt. B of res. 2661 (XXV), *post*, p. 682.

¹ A/8191 and Corr. 1, Dec. 2, 1970. The paper was submitted by Ireland, Mexico, Morocco, Pakistan, Sweden, Yugoslavia. An earlier version of the program was attached to the six-power draft res. of Nov. 18 (*ante*, pp. 611-612.).

General Assembly in resolution 2602 E (XXIV) approved on 16 December 1969, by which it declared the decade of the 1970s as a Disarmament Decade.²

In the light of the contents of that resolution it would seem fully justified to state that the request of the General Assembly implies that the comprehensive programme of disarmament should embrace not only the work of the Conference of the Committee on Disarmament but all negotiations and other acts on this matter, in whatever forum and form they may take place, and that the programme should include effective procedures in order to facilitate the co-ordination of such activities and ensure that the United Nations General Assembly be kept informed on their progress so as to permit it the proper performance of its functions, including the constant evaluation of the situation.

It seems advisable to point out that the term "disarmament" is used here in the same manner as it has been in the various forums of the United Nations, that is, as a generic term which encompasses and may designate any type of measures relating to the matter, whether they are measures for the prevention, the limitation, the reduction or the elimination of armaments, or the reduction of military forces.

I. OBJECTIVE

The aim of the comprehensive programme is to achieve tangible progress in order that the goal of general and complete disarmament under effective international control may become a reality in a world in which international peace and security prevail, and economic and social progress are attained.

II. PRINCIPLES

1. The measures in the comprehensive programme should be carried out in accordance with the Joint Statement of Agreed Principles for Disarmament Negotiations of September 1961³; taking into account the obligations undertaken in various treaties on disarmament and the relevant resolutions of the United Nations, and all new elements and possibilities in this area.

2. The highest priority should be given to disarmament measures dealing with nuclear and chemical and biological weapons.

3. The problem of general and complete disarmament should be given intensive treatment, parallel to the negotiations of partial disarmament measures, including measures to prevent and limit armaments and measures to reduce armaments, in order to facilitate further clarification of positions and possibilities, including the revision and updating of the existing draft treaties submitted by the Union of Soviet Socialist Republics and the United States of America respectively,⁴ or the submission of new proposals.

² *Documents on Disarmament*, 1969, pp. 713-715.

³ *Ibid.*, 1961, pp. 439-442.

⁴ *Ibid.*, 1965, pp. 77-102, 111-140.

4. The principle of balanced disarmament should be kept in mind. It concerns both a numerical decrease of men in arms and types of arms to prefixed levels, and packages of disarmament measures by which an over-all balance is achieved that is judged by all parties to be satisfactory in the light of their own security. Particular efforts will have to be undertaken by militarily important Powers in order to reduce the gap that exists between them and other countries. It is understood that the final solution of the limitation and reduction of conventional armaments can only be obtained within the framework of general and complete disarmament.

5. Verification methods form an indispensable part of disarmament measures. When elaborating such methods it must be recognized that a 100 per cent certainty can never be obtained by any such system. A single method of control is rarely sufficient. As a rule, a combination of several methods should be employed, mutually reinforcing one another in order to achieve the necessary assurances that a certain disarmament measure is being observed by all parties.

6. The comprehensive programme is correlated with other United Nations programmes for peace-keeping and international security. Progress in the former should not, however, be made dependent on progress in the latter and vice versa.

7. The necessity should be kept in mind of avoiding, when concluding disarmament agreements, any adverse effects on the scientific, technological or economic future of nations.

8. A substantial portion of the savings derived from measures in the field of disarmament should be devoted to promoting economic and social development, particularly in the developing countries.

9. In disarmament agreements every effort should be made not to prejudge or prejudice juridical or other unresolved issues in any outside field.

10. Concerted efforts should be made to associate militarily significant States, in particular all nuclear-weapon Powers, with the negotiations for disarmament.

11. The United Nations, which has specific responsibility for disarmament under the Charter, should be kept informed of all efforts thereon, whether unilateral, bilateral or multilateral.

12. Public opinion should be given adequate information about armament and disarmament, so that it might bring its influence to bear on the strengthening of disarmament efforts.

III. ELEMENTS AND PHASES OF THE PROGRAMME

A. *Disarmament treaties in force or in preparation*

1. The results achieved so far in the disarmament field and the agreements anticipated for the immediate future consist of partial or collateral measures, facilitating and forming part of the final aim of general and complete disarmament under effective

international control. Such results consist mainly of the following treaties:

(a) The Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare of 1925⁵;

(b) The Antarctic Treaty of 1959⁶;

(c) The Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water of 1963⁷;

(d) The Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies of 1967⁸;

(e) The Treaty for the Prohibition of Nuclear Weapons in Latin America and its two additional Protocols of 1967⁹;

(f) The Treaty on the Non-Proliferation of Nuclear Weapons of 1968.¹⁰

Particular attention should be paid to the fulfilment of the obligations arising from these treaties, to the review conference provided for in some of them, and, when that is the case, to the adoption of measures intended to complete them.

2. Efforts and negotiations to reach agreement at an early stage of the Disarmament Decade on treaties and conventions whose contents have been for some time under consideration by the General Assembly, the Conference of the Committee on Disarmament and other competent international forums should be urgently intensified. This work has included consideration of:

(a) The prohibition of the development, production and stockpiling of chemical and biological weapons and the destruction of existing stocks of such weapons;

(b) Further measures in the field of disarmament for the prevention of an arms race on the sea-bed and the ocean floor, and the subsoil thereof; and

(c) The ban on underground nuclear-weapon tests.

B. Other measures of disarmament

1. Prevention and limitation of armaments

The possibilities of giving effect as soon as possible to the measures specified below should be the object of persistent scrutiny and negotiation.

(a) Nuclear weapons

(i) A moratorium or, cessation of testing and deploying new strategic nuclear-weapon systems;

⁵ *Ibid.*, 1969, pp. 764-765.

⁶ *Ibid.*, 1945-1959, vol. II, pp. 1550-1556.

⁷ *Ibid.*, 1963, pp. 291-293.

⁸ *Ibid.*, 1967, pp. 38-43.

⁹ *Ibid.*, pp. 69-83.

¹⁰ *Ibid.*, 1968, pp. 461-465.

(ii) The cessation of production of fissionable material for military purposes and the transfer of existing stocks to civilian uses;

(iii) A freeze or limitation on the deployment of all types of nuclear weapons;

(iv) The conclusion of regional agreements for the establishment of additional nuclear-weapon free-zones;

(v) A solution of the problem concerning the prohibition of the use of, or the threat to use, nuclear weapons.

(b) Conventional armaments and armed forces

(i) Further prohibitions of the use for military purposes of the sea-bed and the ocean floor, and the subsoil thereof;

(ii) The establishment of ceilings on the level and types of conventional armaments and the number of armed forces;

(iii) Restrictions on the creation of foreign military bases and the stationing of troops and military equipment in foreign territories;

(iv) Convening of regional conferences at the initiative of the States of the region for the prevention and limitation of armaments.

2. Reduction of all armaments, armed forces and military expenditures

At the appropriate stage in the disarmament negotiations, ways and means of carrying out the following measures should be thoroughly explored and actively negotiated:

(a) Gradual reductions in nuclear armaments;

(b) Gradual reductions in conventional armaments and armed forces;

(c) The conclusion of regional non-aggression, security and disarmament treaties at the initiative of the States concerned;

(d) Gradual withdrawal of troops and bases from foreign territories;

(e) Reduction in military expenditures.

3. Elimination of armaments

In accordance with the Joint Statement of Agreed Principles for Disarmament Negotiations of 1961, the final stage of the comprehensive programme should be the conclusion of a treaty on general and complete disarmament under effective international control, providing for the prohibition and elimination of nuclear weapons and the reduction of conventional armaments and armed forces to levels required for the maintenance of internal order and for international peace-keeping.

IV. PEACE-KEEPING AND SECURITY

1. It is recognized that there is a close interrelationship among

disarmament, international security, the peaceful settlement of disputes and a climate of confidence.

2. During the period of the negotiations for the disarmament measures listed above, there should be parallel negotiations in the appropriate forums for the establishment or development of United Nations peace making and peace-keeping machinery and procedures in order to increase and ensure the maintenance of international peace and security.

3. Agreement on such measures will facilitate the success of disarmament efforts, just as the adoption of disarmament measures will create favourable conditions for the strengthening of international security. Nevertheless, as has already been pointed out above, progress in one of these categories of measures should not be made dependent on progress in the other, and vice versa.

V. PROCEDURE

1. The General Assembly should consider annually the progress made in the implementation of the comprehensive programme. Every three years, the General Assembly should review the comprehensive programme and revise it as warranted. This will entail an evaluation of the over-all situation in the field of disarmament and a comparison between the development in regard to armaments and disarmament. The United Nations Disarmament Commission might be reactivated and entrusted with a part of this task.

2. The practice of requesting the Secretary-General to prepare, with the assistance of expert consultants, authoritative studies on concrete questions relating to the arms race and disarmament should be continued.

3. The advisability of carrying out studies by qualified groups of experts on specific problems of disarmament, which warrant it, should be carefully explored in the Conference of the Committee on Disarmament.

4. There should be more conferences and scientific exchanges among scientists and experts from various countries on the problem of the arms race and disarmament.

5. Universities and academic institutes should be encouraged to establish continuing courses and seminars to study problems of the arms race, military expenditures and disarmament.

6. The increased exchanges and publications of relevant information and data should lead to greater openness, to the establishment of greater confidence among States and increased knowledge and interest in these matters among the public.

7. The feasibility of convening, in due time and after appropriate preparatory work, a world disarmament conference of all States should be thoroughly studied.

Statement by the Yugoslav Representative (Božinović) to the First Committee of the General Assembly: Comprehensive Program of Disarmament, December 3, 1970¹

I have the honour, on behalf of the delegations of Argentina, Brazil, Ecuador, El Salvador, Ireland, Italy, Malta, Mexico, Morocco, the Netherlands, Nigeria, Pakistan, Sweden, Uruguay, Venezuela and Yugoslavia, to introduce the second revised version of draft resolution A/C.1/L.537,² which now appears as document A/C.1/L.537/Rev.2.³

The members of the Committee are aware of the existence of revision 1, which appeared a few days ago and which also was one of the steps that the sponsors of the original draft resolution took in trying to meet the viewpoints of various delegations.⁴ Since that revised draft resolution has been superseded by revision 2, I intend to deal with the second revision.

After continuous and prolonged consultations during the last three weeks, and more particularly the last eight days, in search of a text that would accommodate as many viewpoints as possible and serve the basic purpose of our presence and activity here, the sixteen delegations have agreed to present this newly revised draft resolution. I would like to point out briefly the major changes which have been made in the operative part of the draft resolution, and mention also that certain modifications have been made in the fifth and sixth preambular paragraphs which are self-explanatory.

First of all, may I draw the attention of members of the Committee to the new operative paragraph 1. It

“Urges the Conference of the Committee on Disarmament to make more intensive efforts to bring about a faster pace towards the achievement of measures of disarmament”.

This new paragraph, which is straightforward and clear, expresses the widely shared desire of the States Members of the United Nations and, one can say, of peoples all over the world, to have the efforts in the field of disarmament intensified in order to obtain more tangible results sooner.

Operative paragraph 2 expresses the “appreciation” of the General Assembly “for the important and constructive documents and views submitted at the Conference of the Committee on Disarmament”, and it then mentions four of these documents in the chronological order of their submission.

In operative paragraph 3 the General Assembly

“Recommends to the Conference of the Committee on Disarmament that it take into account in its further work and its

¹ A/C.1/PV.1783, pp. 2-16.

² *Ante*, pp. 611-612.

³ Identical with pt. C of res. 2661 (XXV), *post*, pp. 682-683.

⁴ See *ante*, p. 611, n. 1.

negotiations document A/8191, as well as other disarmament suggestions presented or to be presented in the future”.

In connexion with this paragraph there are two important aspects which I would like to stress particularly. First, the draft resolution no longer has an annex containing the comprehensive programme, since this seemed to be creating difficulties for some delegations which had taken an active part in our efforts in connexion with the draft resolution. The same programme [which] appeared as an annex in our previous drafts would now appear as a separate document of the General Assembly, document A/8191, which the Assembly would recommend.⁵

Second, the idea of a developing concept is now expressed even more strongly since the General Assembly recommends to the Conference of the Committee on Disarmament to take into account also in its further work and its negotiations “other disarmament suggestions presented or to be presented in the future”.

Those are the major changes in the draft resolution and we believe that they are the best proof of the flexibility and willingness on the part of the original co-sponsors of the draft resolution, as well as of other delegations, many of which have now become co-sponsors of the revised draft, to search for and find a compromise solution which will represent a positive contribution to the efforts in the field of disarmament.

It is my duty also to inform the Committee that at a meeting on Tuesday last all the delegations which took an active part in formulating this compromise draft resolution expressed great satisfaction with the results achieved, stressing especially the balance which has finally been reached among different views and, more particularly, the fact that further changes at this point in the draft resolution might upset the balance achieved and set back our work at this late stage.

May I now express the hope, in the name of the co-sponsors, that the draft resolution contained in document A/C.1/L.537/Rev.2 will receive the widest possible support.

Mr. Chairman, with your permission I should now like to proceed to make a statement in my capacity as representative of Yugoslavia.

In its endeavours to contribute in a more specific way to the intensification of the efforts in the field of disarmament, the First Committee has been seized for nearly one month now of the important task of the preparation and adoption of a comprehensive programme of disarmament.

The majority of the delegations which took part in the general debate referred to the draft programme and to the efforts made to meet the request made by the General Assembly at its last

⁵ *Supra*.

session—namely, to prepare a comprehensive programme. I would like to address myself today to certain aspects of the question of a comprehensive programme.

There were some widely shared considerations, both here and in the Conference of the Committee on Disarmament, which were constantly kept in mind in formulating the programme and the draft resolution and which, in our opinion, should be mentioned again.

First, the programme of disarmament must be sufficiently realistic to be widely acceptable, yet it must be ambitious enough to constitute a real contribution to the acceleration of efforts in the field of disarmament.

Second, the programme must be flexible in order to be applicable to the complex international relations prevailing in the world today.

Third, the programme should fully take into account all the experiences and results of the twenty-five years of effort and at the same time make provision for all new elements in this area.

Fourth, the preparation of the programme should not degenerate into discussions that would be an end in themselves, nor should the work on it drag on *ad infinitum*, thus overshadowing the efforts related to the urgent concrete issues of disarmament.

Naturally no one could claim that the draft resolution now before the Committee is the best possible text, nor that its composition could not have been somewhat different. We have all had many exchanges of views on various approaches and on diverse points. One could rightly assume that many delegations could indicate parts in the programme which they would have preferred to see somewhat differently formulated or even omitted.

However, having said that, I would like to point out one of the basic features of such a document, namely, that the programme is being prepared for all States. Consequently it must be a compromise, broadly conceived and balanced so as to take account of the differences in the positions of various States. As to its flexibility, which is also indispensable, I would like to point out that the over-all conception of the programme, the interrelationship of its various parts, the formulations, the outlined procedure, and so on, bear, as in the case of the draft resolution, a very strong mark of flexibility. Disarmament in present-day conditions, as we are all aware, could not and would not be achieved by trying to impose one-sided views. Negotiations and political decisions must underlie every substantive solution.

Now I should like to mention some facts relative to the efforts made this year with regard to the preparation of the programme.

Many delegations in the Conference of the Committee on Disarmament took it upon themselves to commence the work on the programme as soon as the Conference of the Committee on Disarmament began its work in 1970. For instance, the delegation

of the Netherlands submitted, as early as 24 February, a working paper on the programme—a valuable contribution.⁶ The delegation of Mexico also submitted a working paper on 5 March, in which, among others, it urged that work be done on the preparation of the programme and invited the two big Powers to make known their views on the programme. I quote the following from that document:

“... for the preparation of the comprehensive programme called for by the General Assembly, it would be highly desirable for the Committee to know, at least in broad outline, the present position of the two States which act as co-Chairmen on the subject matter to be covered by the programme in question, so as to have a realistic and effective basis for the work entrusted to it in the above-mentioned resolution.”⁷

That was presented on 5 March of this year.

In April a group of delegations made a spontaneous effort to promote work on the programme. On the initiative of the Italian delegation, a group of delegations comprising various geographical regions met several times informally to exchange views, suggestions, concepts, and so on, on the programme. That proved to be a very valuable exercise. The Italian delegation, continuing those efforts subsequently presented the working paper in document CCD/309.⁸

Later on, when it seemed to some members of the non-aligned group that the time had perhaps come for that group—the group of twelve—to apply itself more thoroughly to the preparation of the programme, the group took up the subject and after initial consideration appointed a working group of four delegations to prepare a concrete draft.

After the first draft of the programme was presented to the non-aligned group, that group of twelve made an effort to contribute, at the level of delegations, to the drafting of a text that would be meaningful and acceptable to the large majority of the Members of the United Nations. That once again proved to be not an easy task. However, thanks to many suggestions, proposals and views expressed in the non-aligned group and thanks to many exchanges of views among the delegations outside the group, it was possible to prepare a draft of the programme which included the views of many members of the Conference of the Committee on Disarmament, to the extent it was judged to be possible to find a common denominator. In saying that, of course, I am not implying that the group as a whole was in agreement, since that obviously was not the case.

⁶ *Ante*, pp. 59-63.

⁷ CCD/277.

⁸ *Ante*, pp. 440-445.

The Conference of the Committee on Disarmament considered this subject at both its spring and its summer sessions, as can be seen from its report.⁹

I have taken some time to recall all this only to show that the Conference of the Committee on Disarmament did all it could to prepare the programme. It was not merely for lack of time or any similar reason that it did not come up with a draft programme accepted by the Conference of the Committee on Disarmament as a whole but because—as the representative of Canada rightly remarked the other day:

“... the Conference of the Committee on Disarmament was unable to come up with a programme for the Disarmament Decade ...”.¹⁰

The reason for that obviously is the political situation prevailing in the world and the differences in the positions of many countries.

Now I would like to stress in particular that it was under those circumstances, namely, when it became obvious that the Conference of the Committee on Disarmament would not be in a position to produce a generally agreed draft programme and submit it to the General Assembly as requested, that the three delegations, Mexico, Sweden and Yugoslavia, made an effort to do something positive by submitting a draft programme to the Conference of the Committee on Disarmament on 27 August.¹¹ We had in mind then, as we have now, the responsibility of the General Assembly in the field of disarmament. We were hoping that the period of about three months between the submission of the draft programme and the time when it would be taken up by the General Assembly might prove sufficient to study it.

The second point which I would like to make is that we have acted with the intention of avoiding a situation which we believe none of us would like to see, where we would devote the next year, or even longer, in the Conference of the Committee on Disarmament to a renewed effort to produce a better programme instead of concentrating on important, urgent and substantive issues of disarmament.

May I recall that the provisional agenda of the Conference of the Committee on Disarmament was prepared as late as 1968,¹² while the Committee began its work as early as 1962. It took four years for that agenda, consisting only of four general titles, to see the light of day. Moreover, there is an agreement that any delegation may take up any subject at any time, whether or not it is mentioned in the agenda. The fact that the provisional agenda has remained provisional is obviously due to the political circumstances and political reality, which do not permit the

⁹ See *ante*, pp. 500-516.

¹⁰ A/C.1/PV.1772, pp. 59-60.

¹¹ *Ante*, pp. 459-465.

¹² *Documents on Disarmament, 1968*, pp. 583-584.

preparation of a more specific agenda. That is the situation we live in, and consequently we do not believe that the Conference of the Committee on Disarmament, in trying to prepare a better programme or a more specific one—a programme which we all would like to see—should depart from its substantive work.

It is also a fact that after discussions with many delegations here during the current session, and after having received suggestions from several delegations, the sponsors of the draft programme revised the text once again.

The programme as proposed now is not the work of one or several delegations. It is rather the product of and a compromise between many different, often opposing, positions. That is why we should perhaps not try to attain perfection, since it appears that we cannot do so, but instead should proceed as soon as possible with the concrete work on some urgent measures—for example, the complete prohibition and elimination of chemical and biological weapons, the prohibition of all nuclear weapons tests, and so on—and, parallel with this, should start systematic and purposeful work on general and complete disarmament.

I would also like to underline on this occasion that the non-aligned world, which sees the security and general economic and social progress of the world in an early cessation of the arms race and in real disarmament, is deeply convinced that the disarmament efforts must be intensified, that they must be more substantive and that the results must be more tangible. Once again they took a strong position at the Third Conference of Non-Aligned Countries, held at Lusaka, expressing themselves in favour of the adoption of a programme on disarmament and of intensifying efforts in the field of disarmament in general.

The Yugoslav delegation strongly believes that it would be in the interest of all if the General Assembly would recommend this programme at this session which is marking the twenty-fifth anniversary of the United Nations and also the first year of the Disarmament Decade. By doing so, the General Assembly would clearly manifest its deep interest in seeing the disarmament process begin and would provide the Conference of the Committee on Disarmament with a document which is broad and flexible and deals with the principal aspects of the problem of cessation of the arms race and general and complete disarmament under effective international control.

By recommending this programme the General Assembly would also enable the Conference of the Committee on Disarmament to concentrate its efforts next year on important substantive issues.

In conclusion, I wish to express the hope of the Yugoslav delegation that draft resolution A/C.1/L.537/Rev.2 and the programme will receive the widest possible support.

Statement by the Soviet Representative (Roshchin) to the First Committee of the General Assembly: Comprehensive Program of Disarmament, December 3, 1970¹

May I set forth the position of the Soviet delegation in connexion with the forthcoming vote on the draft resolution relating to a comprehensive programme of disarmament.²

In our statements in this Committee we had occasion to express in detail the position of the Soviet Union relating to a comprehensive programme of disarmament. We stressed that the Soviet Union, in principle, did not object to working out that programme on condition that it be consonant with the task of putting an end to the arms race and reaching agreement on urgent measures in that field. In addition, we noted that in preparing the disarmament programme full account should be taken of the points of view and positions of the various parties to the disarmament negotiations.

Only thus, after complex and detailed preparations and large-scale mutual consultations, will it be possible to work out an agreed and generally acceptable document. If this were not the case, if this essential condition were not respected, no agreement can be reached on an effective and realistic programme of disarmament. If we apply these criteria, when appraising the comprehensive programme of disarmament,³ based on the programme prepared by Mexico, Yugoslavia and Sweden,⁴ we must take note of the fact that it meets none of the criteria we mentioned.

We value highly the efforts of the sponsors of that document in their desire to find a solution to the problem of a programme of disarmament. However, we cannot agree that the programme worked out by them proposes effective measures and points to a correct course which would be consistent with the need to put an end to the arms race. Its essential defect is that it is a contradictory document which contains proposals, some of which are unacceptable to some States, and others unacceptable to other States.

The programme does not specify the time-table for disarmament measures, nor does it prescribe a clear-cut programme which would make it possible to put an end to the arms race. The approach to that task is also unsatisfactory in our view. It was not discussed at length either in the Conference of the Committee on Disarmament or in the General Assembly. That is why our delegation cannot endorse it. That has already been said here by many other delegations.

From its content the draft resolution under discussion clearly to some extent approves of the comprehensive programme of

¹ A/C.1/PV.1783, pp. 36-37.

² Identical with pt. C of res. 2661 (XXV), *post.* pp. 682-683.

³ *Ante*, pp. 653-658.

⁴ *Ante*, pp. 459-465.

disarmament suggested by six countries. It clearly grants priority to that document as compared to all other proposals and views expressed on those matters. Therefore, our delegation does not deem it possible to agree to the draft programme suggested by the three countries and thus we shall not be able to support that draft resolution. When the vote is taken, our delegation will abstain.

Statement by the United States Representative (Leonard) to the First Committee of the General Assembly: Comprehensive Program of Disarmament, December 3, 1970⁵

The United States delegation is pleased to support draft resolution A/C.1/L.537/Rev.2.⁶

We appreciate the spirit of compromise on the part of its sponsors which has led to successive improvements in the text of the draft resolution. Those improvements have, we believe made the draft resolution widely acceptable. It is appropriate in our view for this Committee to recommend to the Conference of the Committee on Disarmament that it take account in its future deliberations on document A/8191,⁷ as well as other disarmament suggestions which have already been presented or may in the future be submitted. My Government does not necessarily agree with all of the ideas and formulations in document A/8191, nor do we necessarily consider it an exhaustive treatment of the subject and our favourable vote on that draft resolution should not be interpreted as an endorsement of the programme. Nevertheless, the document contains many useful concepts which we shall certainly wish to take into account and we are most grateful to the authors of the document for their very considerable contribution to our work.

Statement by the French Representative (de la Gorce) to the First Committee of the General Assembly: Comprehensive Program of Disarmament, December 3, 1970¹

The French delegation wishes first of all to recall that last year it approved the principle of the disarmament decade, and it would gladly today have supported a text which, within the framework of that decade, would recall the objective of general and complete disarmament and at the same time reaffirm the responsibility of

⁵ A/C.1/PV.1783, pp. 37-40.

⁶ Identical with pt. C of res. 2661 (XXV), *post*, pp. 682-683.

⁷ *Ante*, pp. 653-658.

¹ A/C.1/PV.1783, pp. 38-41.

the United Nations in that regard. We find that idea in the third paragraph of the preamble of the draft resolution.²

We also approve several of the fundamental elements of the disarmament programme³ explicitly mentioned in operative paragraph 3 of the draft resolution. We have in mind the provision contained in sub-paragraph 10 of the principles of that programme which stresses the need to associate with the negotiations all the nuclear Powers, and the paragraph which stresses the importance of the problems of control.

We also approve the provision which stresses the importance of control. But we are not able to vote in favour of the draft resolution as a whole for reasons which have to do both with procedure recommended by the draft in operative paragraph 1 and the inclusion in the work programme recommended for the CCD in paragraph 3 of certain measures of a partial character with which we disagree in principle. Neither this procedure nor those measures appear to us to be likely to foster genuine progress as wished for by the sponsors of this draft themselves. Therefore the French delegation will abstain during the vote.

North Atlantic Council Communique, December 4, 1970¹

The North Atlantic Council met in Ministerial Session at Brussels on 3rd and 4th December, 1970. Foreign, Defence and Finance Ministers were present.

2. Ministers again stated that the political purpose of the Alliance is the common search for peace through initiatives aiming at the relaxation of tension and the establishment of a just and lasting peaceful order in Europe, accompanied by appropriate security guarantees.

3. The Council received a statement from President Nixon which pledged that, given a similar approach by the other Allies, the United States would maintain and improve its own forces in Europe and would not reduce them except in the context of reciprocal East-West action. Ministers expressed their profound satisfaction at the reaffirmation of Alliance solidarity expressed in this statement.

4. Ministers reviewed the international situation as it had developed since their last meeting in May in Rome. They noted that 1970 had been a year of extensive diplomatic activity by member governments of the Alliance to initiate or intensify contacts, discussions and negotiations with the members of the Warsaw Pact and with other European countries. Ministers paid particular attention to the Strategic Arms Limitations Talks, the Treaties negotiated by the Federal Republic of Germany with the Soviet Union and Poland, intra-German relations, Berlin and the situation in the Mediterranean.

² Identical with pt. C of res. 2661 (XXV), *post*, pp. 682-683.

³ *Ante*, pp. 653-658.

¹ *Department of State Bulletin*, Jan. 4, 1971, pp. 2-6.

5. Ministers welcomed the resumption at Helsinki in November of the negotiations between the United States and the USSR on Strategic Arms Limitations. They expressed the hope that the talks would lead, at an early date, to an agreement strengthening peace and security in Europe and in the world.

6. Ministers noted with satisfaction the signing of the Treaty between the Federal Republic of Germany and the USSR on 12th August, 1970,² and the initialling of the treaty between the Federal Republic of Germany and the Polish People's Republic on 18th November, 1970.³ They welcomed these Treaties as contributions toward reduction of tensions in Europe and as important elements of the *modus vivendi* which the Federal Republic of Germany wishes to establish with its Eastern neighbours. Ministers noted the clarifications made in the context of the Treaties, and reflected in the exchanges of notes between the Federal Republic of Germany and the Three Powers, to the effect that quadripartite rights and responsibilities for Berlin and Germany as a whole remain unaffected pending a peace settlement which would be based on the free decision of the German people and on the interests of European security. Ministers welcomed the beginning of an exchange of views between the Federal Republic of Germany and the GDR and expressed the hope that this exchange will prepare the ground for genuine negotiations between the two. Ministers reviewed the development of the quadripartite talks in Berlin.

7. In considering the situation with regard to Berlin and Germany, Ministers recalled their statement in the Brussels Declaration of 5th December, 1969 (paragraph 10) to the effect that concrete progress in both these fields would constitute an important contribution to peace and would have great weight in their evaluation of the prospects for improving East-West relations in Europe.⁴ Indeed, these prospects would be put in question failing a satisfactory outcome to the current Berlin negotiations. With this in mind, Ministers stressed the importance of securing unhindered access to Berlin, improved circulation within Berlin and respect by all for the existing ties between the Western sectors of Berlin and the Federal Republic of Germany which have been established with the approval of the Three Powers. They underlined the need for an understanding between the Federal Republic of Germany and the GDR on a negotiated settlement of their mutual relations which would take account of the special features of the situation in Germany.

8. Ministers took note of a report on the situation in the Mediterranean prepared on their instructions by the Council in Permanent Session. They noted that the evolution of events in the area gives cause for concern and justifies careful vigilance on the

² *Ante*, pp. 403-404.

³ 10 *International Legal Materials* 127 (Jan. 1971).

⁴ *Documents on Disarmament*, 1969, p. 627.

part of the Allies. They recommended that consultations on this question should continue, and they invited the Council in Permanent Session to keep the situation under review and to report fully thereon at their next meeting.

9. As a result of their review of the international situation and its positive and negative aspects, Ministers emphasized that these developments in Europe and the Mediterranean all affect the Alliance directly or indirectly, and have a bearing on the possibilities of reducing tensions and promoting peace.

10. Ministers noted that the initiatives which had been taken by Allied Governments had already achieved certain results which constituted some progress in important fields of East-West relations. Nevertheless their hope had been that more substantial progress would have been recorded in bilateral exploratory contacts and in the on-going negotiations, so that active consideration could have been given to the institution of broad multilateral contacts which would deal with the substantial problems of security and co-operation in Europe. They affirmed the readiness of their governments, as soon as the talks on Berlin have reached a satisfactory conclusion and in so far as the other on-going talks are proceeding favourably, to enter into multilateral contacts with all interested governments to explore when it would be possible to convene a conference, or a series of conferences, on security and co-operation in Europe. In this event, the Council would give immediate attention to this question.

11. In the meantime, the Council in Permanent Session will continue its study of the results which might be achieved at any such conference or series of conferences, and of the appropriate exploratory and preparatory procedures, including the proposals that have already been advanced. The Allied Governments will also pursue energetically their bilateral exploratory conversations with all interested states on questions affecting security and co-operation.

12. Ministers recalled that any genuine and lasting improvement in East-West relations in Europe must be based on the respect of the following principles which should govern relations between states and which would be included among the points to be explored: sovereign equality, political independence and territorial integrity of each European state; non-interference and non-intervention in the internal affairs of any state, regardless of its political or social system; and the right of the people of each European state to shape their own destinies free of external constraint. A common understanding and application of these principles, without condition or reservation, would give full meaning to any agreement on mutual renunciation of the use or threat of force.

13. In the field of international co-operation, the contacts mentioned in paragraph 10 might provide an opportunity to consider ways and means of ensuring closer co-operation between

interested countries on the cultural, economic, technical and scientific levels, and on the question of human environment. Ministers reaffirmed that the freer movement of people, ideas and information is an essential element for the development of such co-operation.

14. Ministers noted that Alliance studies on the various aspects of the mutual and balanced force reductions question have further progressed since the Rome Meeting and instructed the Council in Permanent Session to pursue studies in this field.

15. Ministers representing countries participating in NATO's integrated Defence Programme re-emphasized the importance they attach to mutual and balanced force reductions as a means of reducing tensions and lessening the military confrontation in Europe and recalled the Declarations on this question issued at Reykjavik in 1968⁵ and at Rome earlier this year.⁶ They noted that the Warsaw Pact countries have not directly responded to these Declarations but have mentioned the possibility of a discussion at some future time of the question of reducing foreign armed forces on the territory of European states.⁷

16. These Ministers renewed their invitation to interested states to hold exploratory talks on the basis of their Rome Declaration, and also indicated their readiness within this framework to examine different possibilities in the field of force reductions in the Central Region of Europe, including the possible mutual and balanced reduction of stationed forces, as part of an integral programme for reduction of both stationed and indigenous forces.

17. Ministers reaffirmed their profound interest in genuine disarmament and arms control measures. In this connection, they expressed their satisfaction with progress towards a ban on the emplacement of weapons of mass destruction on the sea bed. They further considered the pursuit of Allied efforts and studies in all fields related to disarmament to be essential, including those concerning biological and chemical weapons. They invited the Council in Permanent Session to continue to examine these matters.

18. Ministers endorsed the recent Council recommendation to Allied Governments to start work at once in order to achieve, by 1975 if possible but not later than the end of the decade, the elimination of intentional discharges of oil and oily wastes into the sea. This and the other accomplishments of the Committee on the Challenges of Modern Society during the past year were welcomed by Ministers as evidence that the Allies are effectively combining their resources to stimulate national and international action on environmental problems.

19. Ministers examined a report on the achievements of the Conference of National Armaments Directors and its subordinate

⁵ *Documents on Disarmament*, 1968, pp. 447 ff.

⁶ *Ante*, pp. 225-230.

⁷ *Ante*, pp. 244-245.

bodies in the promotion of co-operation in research, development and production of military equipment during the four years of its existence. They noted that, in spite of the excellent progress that had been made in the exchange of information on defence equipment, it had proved possible to establish relatively few firm NATO projects for co-operative development and production of equipment. They recognised that more political support would be necessary to overcome the obstacles to greater co-operation. They agreed to the need for a more positive approach in order to achieve the financial and operational benefits of more widespread adoption of jointly developed and produced equipment.

20. Ministers of the countries participating in NATO's integrated defence programme met as the Defence Planning Committee on 2nd December, 1970.

21. Ministers concentrated their discussion on a comprehensive study, which has been in progress since last May, of the defence problems which the Alliance will face in the 1970s. They approved for public release the text at Annex.

22. Ministers confirmed that NATO's approach to security in the 1970s will continue to be based on the twin concepts of defence and detente. They reaffirmed the principle that the overall military capability of NATO should not be reduced except as part of a pattern of mutual force reductions balanced in scope and timing. They agreed that East-West negotiations can be expected to succeed only if NATO maintains an effective deterrent and defensive posture. Ministers confirmed the continued validity of the NATO strategy of flexibility in response, which includes forward defence, reinforcement of the flanks and capabilities for rapid mobilisation, and calls for the maintenance of military capabilities which are able to provide an appropriate counter to any aggression. They noted the continuous rise in Soviet defence and defence-related expenditure and the evidence that the USSR is continuing to strengthen still further its military establishment, including that in the maritime field where Soviet power and the range of its activity have markedly increased. They, therefore, emphasized the need for improvements in NATO's conventional deterrent, as well as the maintenance of a sufficient and modern tactical and strategic nuclear deterrent.

23. The security of NATO being indivisible, Ministers underlined the special military and political role of North American forces present in Europe as an irreplaceable contribution to the common defence. In parallel they welcomed the important decision of European member nations participating in NATO's integrated defence programme to make an increased common European effort to strengthen the defence capability of the Alliance. The establishment of a special European Defence Improvement Programme of substantial additional measures will significantly strengthen NATO's capacity for defence and for crisis management in fields, including communications, which have been

identified in the "AD 70s" Study as having particular importance.

24. In respect of the above Study, Ministers invited the Defence Planning Committee in Permanent Session to draw up a suitable programme and to ensure that all possible progress is made.

25. Ministers noted the force commitments undertaken by member nations for the year 1971 and adopted the five-year NATO force plan covering the period 1971-1975. They gave directions for the development of a force plan for the next NATO planning period.

26. Ministers viewed with concern the evidence of continuing growth in Soviet military strength in the Mediterranean. Such developments, they felt, could constitute an increasingly significant threat to the security of the Alliance. Ministers commented with approval on steps which have been taken to improve the Alliance's defence posture in the Mediterranean. Referring to their Communique issued in Brussels on 11th June of this year, Ministers directed that urgent attention to be given to the development and implementation of further appropriate measures.

27. Within the field of crisis management, Ministers reviewed communications facilities for high level political consultation and for command and control; they agreed to a number of important measures designed to improve and expand these vital facilities. They encouraged further efforts in the field of civil preparedness and civil emergency planning. They noted progress made on various defence studies. They also noted that the trend towards more sophisticated equipment at increasing cost may well continue, and they stressed that forthcoming modernisation programmes would offer an opportunity for increased co-operation.

28. The Ministerial Meeting also provided the Defence Ministers comprising the Nuclear Defence Affairs Committee (Belgium, Canada, Denmark, Germany, Greece, Italy, Netherlands, Norway, Portugal, Turkey, United Kingdom and United States) with the occasion to review work recently in progress in the Nuclear Planning Group and plans for the future. Acting on the recommendation of the Nuclear Defence Affairs Committee, the Defence Planning Committee adopted the policy documents elaborated by the Nuclear Planning group at their meeting in Venice last Spring and finalised at Ottawa in October this year. These documents are in consonance with NATO's strategy of flexibility in response.

29. The next Ministerial Meeting of the Defence Planning Committee will take place in the Spring of 1971.

30. The Spring Ministerial Meeting of the Council will be held in Lisbon on 3rd and 4th June, 1971.

31. Ministers requested the Foreign Minister of Belgium to transmit this Communique on their behalf through diplomatic channels to all other interested parties including neutral and non-aligned governments.

ANNEX

Alliance Defence for the Seventies

The Allied countries participating in the integrated defence efforts decided at a meeting of the Defence Planning Committee in Permanent Session in May of this year to examine in depth NATO defence problems for the next decade.

2. The North Atlantic Alliance has made a practice over the years of periodically conducting major reviews and adapting its policies to accord with the changing circumstances of the times. A notable recent example was the study undertaken in 1967 which resulted in the Report on the Future Tasks of the Alliance establishing defence and detente as complementary pillars of its activities. That report stated that "collective defence is a stabilising factor in world politics. It is the necessary condition for effective policies directed towards a greater relaxation of tensions".⁸ Against this background, governments earlier this year recognised the particular timeliness of a full and candid exchange of views among the Allies on their common defence over the next ten years. This examination of NATO's defence capability in the light of current and prospective military and political developments has now been completed.

3. NATO's approach to security in the 1970s will continue to be based on the twin concepts of defence and detente. Defence problems cannot be seen in isolation but must be viewed in the broader context of the Alliance's basic purpose of ensuring the security of its members. There is a close inter-relationship between the maintenance of adequate defensive strength and the negotiation of settlements affecting the security of the member states.

4. The 1970s could develop into an era of successful negotiations between members of the North Atlantic Alliance and those of the Warsaw Pact. On Western initiative, there are now negotiations under way between East and West which could lead to a real relaxation of tensions. It is hoped that there will be satisfactory progress in on-going talks on a limitation of strategic nuclear weapons and on an improvement of the situation in and around Berlin, and in other current negotiations between individual members of NATO and the Warsaw Pact. The Alliance will continue to seek improved East-West relations, and in the framework of this effort, one of its principal aims will be to engage the Soviet Union and its allies in meaningful talks on mutual and balanced force reductions and other disarmament measures. Progress in this field would facilitate dealing with the defence problems of the next decade. This period might also see convened one or more conferences on European security and co-operation.

5. On the other hand, the Allies cannot ignore certain disturbing features in the international situation. The evidence

⁸ *Documents on Disarmament*, 1967, pp. 679-681.

thus far suggests that the USSR, intent on extending and strengthening its political power, conducts its international relations on the basis of concepts some of which are not conducive to detente. In particular, its concept of sovereignty is clearly inconsistent with United Nations' principles. At the same time, Soviet military capabilities, besides guaranteeing the USSR's security, continue to increase and provide formidable backing for the wide-ranging assertion of Soviet influence and presence, persistently raising questions regarding their intentions. In real terms, there has been a continuous rise in Soviet defence and defence-related expenditures between 1965 and 1969 of about 5% to 6% per year on average and the evidence is that the USSR is continuing to strengthen its military establishments still further. The contrast between these figures and the corresponding information relating to the Alliance may be seen from paragraph 10 below. Whether East-West relations can in these circumstances be significantly improved will depend mainly on the actions of the USSR and its Warsaw Pact allies, and on the attitudes they bring to negotiations now in progress or in prospect.

6. The position of the Alliance and its member countries during this period of exploration and negotiation, with special reference to European security and mutual force reductions, would be weakened if NATO were to reduce its forces unilaterally, especially those in the European area, and in particular at a time when it is confronted with a steady growth in Soviet military power, which manifests itself above all in the strategic nuclear and maritime fields. NATO member states must, therefore, maintain a sufficient level of conventional and nuclear strength for defence as well as for deterrence, thus furnishing a sound basis from which to negotiate and underlining that negotiation is the only sensible road open. Progress towards a meaningful detente in an era of negotiation will, therefore, require the maintenance of a strong collective defence posture.

7. The present NATO defence strategy of deterrence and defence, with its constituent concepts of flexibility in response and forward defence, will remain valid. It will continue to require an appropriate mix of nuclear and conventional forces.

8. It is to be hoped that success in strategic arms limitation talks will be achieved. Allied strategic nuclear capability will in any event remain a key element in the security of the West during the 1970s. At the present time, adequate nuclear forces exist and it will be essential that this capability, which includes the continued commitment of theatre nuclear forces, is maintained.

9. The situation in the field of conventional forces is less satisfactory in view of certain imbalances between NATO and Warsaw Pact capabilities. Careful attention needs to be paid to priorities in improving NATO's conventional strength in the 1970s. In the allocation of resources, priority will be given to measures most critical to a balanced Alliance defence posture in

terms of deterrent effect, ability to resist external political pressure, and the prompt availability or rapid enhancement of the forward defensive capability in a developing crisis. In addition to a capability to deter and counter major deliberate aggression, Allied forces should be so structured and organized as to be capable of dealing also with aggressions and incursions with more limited objectives associated with intimidation or the creation of faits accomplis, or with those aggressions which might be the result of accident or miscalculation. In short, Allied forces should be so structured and organized as to deter and counter any kind of aggression. Important areas in NATO's conventional defence posture to which attention should be paid in the next decade include: armour/anti-armour potential; the air situation including aircraft protection; overall maritime capabilities, with special reference to anti-submarine forces; the situation on NATO's flanks; the peacetime deployment of ground forces; further improvements in Allied mobilization and reinforcement capabilities as well as in NATO communications, for crisis management purposes.

10. The Alliance possesses the basic resources for adequate conventional strength. However, member countries are confronted with diverging trends in the pattern of expenditures and costs. On the other hand the cost of personnel and equipment continues to mount and most NATO countries are faced with major re-equipment programmes. On the other, in many member countries the share of GNP devoted to defence has declined and, even if outlays in money terms have risen, outlays in real terms have diminished owing to inflation. In marked contrast with the trend in Warsaw Pact countries' military expenditure, defence expenditures of the NATO European countries taken as a whole and calculated in real terms went down by 4% from 1964 to 1969.

11. It is of paramount importance that there be close collaboration among all member states to ensure the most effective collective defence posture. It is equally important that the burden of maintaining the necessary military strength should be borne co-operatively with each member making an appropriate contribution.

12. The commitment of substantial North American forces deployed in Europe is essential both politically and militarily for effective deterrence and defence and to demonstrate the solidarity of NATO. Their replacement by European forces would be no substitute. At the same time their significance is closely related to an effective and improved European defence effort. Ten of the European countries have therefore consulted among themselves to determine how it would be possible for them individually and collectively to make a more substantial contribution to the overall defence of the Treaty area.

13. As a result the ten countries have decided to adopt a special European Defence Improvement Programme going well beyond

previously existing plans and designed to improve Alliance capability in specific fields identified as of particular importance in the current study. This Programme will comprise:

(a) an additional collective contribution, in the order of \$420 million over five years, to NATO common infrastructure to accelerate work on the NATO integrated communications system and on aircraft survival measures;

(b) numerous important additions and improvements to national forces, costing at least \$450-500 million over the next five years plus very substantial further amounts thereafter; the forces concerned will all be committed to NATO;

(c) other significant financial measures to improve collective defence capability, costing \$79 million over the next two years.

The United States and Canada have welcomed this Programme, and have reaffirmed their intention to maintain their forces in Europe at substantially their current levels.

14. After careful review of the proposals emerging from the examination of defence problems in the Seventies, the Defence Planning Committee in Ministerial Session on 2nd December 1970, adopted concrete proposals aimed at improving NATO's defence capabilities.

Draft Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof, December 4, 1970¹

The States Parties to this Treaty,

Recognizing the common interest of mankind in the progress of the exploration and use of the sea-bed and the ocean floor for peaceful purposes,

Considering that the prevention of a nuclear arms race on the sea-bed and the ocean floor serves the interests of maintaining world peace, reduces international tensions, and strengthens friendly relations among States,

Convinced that this Treaty constitutes a step towards the exclusion of the sea-bed, the ocean floor and the subsoil thereof from the arms race,

Convinced that this Treaty constitutes a step towards a Treaty on general and complete disarmament under strict and effective

¹ A/8198, pp. 12-16. Substantially the same as the draft treaty of Sept. 1 (*ante*, pp. 475-479), except for the addition of the names of the depositary governments in art. X. At the Dec. 3 meeting of the First Committee of the General Assembly, the Soviet and U.S. representatives stated that their governments were prepared to serve as depositary powers, and the Chairman announced that the Secretariat would insert the names of the depositary governments in the article (A/C.1/PV.1783, p. 56). The revised text was included in the Dec. 4 report of the First Committee (A/8198) and annexed to G.A. res. 2660 (XXV), *infra*.

international control, and determined to continue negotiations to this end,

Convinced that this Treaty will further the purposes and principles of the Charter of the United Nations, in a manner consistent with the principles of international law and without infringing the freedoms of the high seas,

Have agreed as follows:

Article I

1. The States Parties to this Treaty undertake not to emplant or emplace on the sea-bed and the ocean floor and in the subsoil thereof beyond the outer limit of a sea-bed zone as defined in Article II any nuclear weapons or any other types of weapons of mass destruction as well as structures, launching installations or any other facilities specifically designed for storing, testing or using such weapons.

2. The undertakings of paragraph 1 of this Article shall also apply to the sea-bed zone referred to in the same paragraph, except that within such sea-bed zone, they shall not apply either to the coastal State or to the sea-bed beneath its territorial waters.

3. The States Parties to this Treaty undertake not to assist, encourage or induce any State to carry out activities referred to in paragraph 1 of this Article and not to participate in any other way in such actions.

Article II

For the purpose of this Treaty the outer limit of the sea-bed zone referred to in Article I shall be coterminous with the twelve-mile outer limit of the zone referred to in Part II of the Convention on the Territorial Sea and the Contiguous Zone, signed in Geneva on 29 April 1958² and shall be measured in accordance with the provisions of Part I, Section II, of this Convention and in accordance with international law.

Article III

1. In order to promote the objectives of and ensure compliance with the provisions of this Treaty, each State Party to the Treaty shall have the right to verify through observation the activities of other States Parties to the Treaty on the sea-bed and the ocean floor and in the subsoil thereof beyond the zone referred to in Article I, provided that observation does not interfere with such activities.

2. If after such observation reasonable doubts remain concerning the fulfilment of the obligations assumed under the Treaty, the State Party having such doubts and the State Party that is responsible for the activities giving rise to the doubts shall consult with a view to removing the doubts. If the doubts persist, the State Party having such doubts shall notify the other States

² 15 UST 1506.

Parties, and the Parties concerned shall co-operate on such further procedures for verification as may be agreed, including appropriate inspection of objects, structures, installations or other facilities that reasonably may be expected to be of a kind described in Article I. The Parties in the region of the activities, including any coastal State, and any other Party so requesting, shall be entitled to participate in such consultation and co-operation. After completion of the further procedures for verification, an appropriate report shall be circulated to other Parties by the Party that initiated such procedures.

3. If the State responsible for the activities giving rise to the reasonable doubts is not identifiable by observation of the object, structure, installation or other facility, the State Party having such doubts shall notify and make appropriate inquiries of States Parties in the region of the activities and of any other State Party. If it is ascertained through these inquiries that a particular State Party is responsible for the activities, that State shall consult and co-operate with other Parties as provided in paragraph 2 of this Article. If the identity of the State responsible for the activities cannot be ascertained through these inquiries, then further verification procedures, including inspection, may be undertaken by the inquiring State Party, which shall invite the participation of the Parties in the region of the activities, including any coastal State, and of any other Party desiring to co-operate.

4. If consultation and co-operation pursuant to paragraphs 2 and 3 of this Article have not removed the doubts concerning the activities and there remains a serious question concerning fulfilment of the obligations assumed under this Treaty, a State Party may, in accordance with the provisions of the Charter of the United Nations, refer the matter to the Security Council, which may take action in accordance with the Charter.

5. Verification pursuant to this Article may be undertaken by any State Party using its own means, or with the full or partial assistance of any other State Party, or through appropriate international procedures within the framework of the United Nations and in accordance with its Charter.

6. Verification activities pursuant to this Treaty shall not interfere with activities of other States Parties and shall be conducted with due regard for rights recognized under international law including the freedoms of the high seas and the rights of coastal States with respect to the exploration and exploitation of their continental shelves.

Article IV

Nothing in this Treaty shall be interpreted as supporting or prejudicing the position of any State Party with respect to existing international conventions, including the 1958 Convention on the Territorial Sea and the Contiguous Zone, or with respect to rights or claims which such State Party may assert, or with respect to

recognition or non-recognition of rights or claims asserted by any other State, related to waters off its coasts; including *inter alia* territorial seas and contiguous zones, or to the sea-bed and the ocean floor, including continental shelves.

Article V

The Parties to this Treaty undertake to continue negotiations in good faith concerning further measures in the field of disarmament for the prevention of an arms race on the sea-bed, the ocean floor and the subsoil thereof.

Article VI

Any State Party may propose amendments to this Treaty. Amendments shall enter into force for each State Party accepting the amendments upon their acceptance by a majority of the States Parties to the Treaty and thereafter for each remaining State Party on the date of acceptance by it.

Article VII

Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes of the preamble and the provisions of the Treaty are being realized. Such review shall take into account any relevant technological developments. The review conference shall determine in accordance with the views of a majority of those Parties attending whether and when an additional review conference shall be convened.

Article VIII

Each State Party to this Treaty shall in exercising its national sovereignty have the right to withdraw from this Treaty if it decides that extraordinary events related to the subject matter of this Treaty have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other States Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it considers to have jeopardized its supreme interests.

Article IX

The provisions of this Treaty shall in no way affect the obligations assumed by States Parties to the Treaty under international instruments establishing zones free from nuclear weapons.

Article X

1. This Treaty shall be open for signature to all States. Any State which does not sign the Treaty before its entry into force in

accordance with paragraph 3 of this Article may accede to it at any time.

2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and of accession shall be deposited with the Governments of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America, which are hereby designated the Depositary Governments.

3. This Treaty shall enter into force after the deposit of instruments of ratification by twenty-two Governments, including the Governments designated as Depositary Governments of this Treaty.

4. For States whose instruments of ratification or accession are deposited after the entry into force of this Treaty it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The Depositary Governments shall promptly inform the Governments of all signatory and acceding States of the date of each signature, of the date of deposit of each instrument of ratification or of accession, of the date of the entry into force of this Treaty, and of the receipt of other notices.

6. This Treaty shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

Article XI

This Treaty, the Chinese, English, French, Russian and Spanish texts of which are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Treaty shall be transmitted by the Depositary Governments to the Governments of the States signatory and acceding thereto.

In witness whereof the undersigned, being duly authorized thereto, have signed this Treaty.

Done in _____ at _____, this _____ day of _____, _____.

General Assembly Resolution 2660 (XXV): Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof, December 7, 1970³

The General Assembly,

Recalling its resolution 2602 F (XXIV) of 16 December 1969,⁴

Convinced that the prevention of a nuclear arms race on the sea-bed and the ocean floor serves the interests of maintaining

³ A/RES/2660 (XXV), Feb. 9, 1971. The resolution was approved by a vote of 104 to 2 (El Salvador, Peru), with 2 abstentions (Ecuador, France).

⁴ *Documents on Disarmament*, 1969, p. 715.

world peace, reducing international tensions and strengthening friendly relations among States,

Recognizing the common interest of mankind in the reservation of the sea-bed and the ocean floor exclusively for peaceful purposes,

Having considered the report of the Conference of the Committee on Disarmament, dated 11 [3] September 1970,⁵ and being appreciative of the work of the Conference on the draft Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof,⁶ annexed to the report,

Convinced that this Treaty will further the purposes and principles of the Charter of the United Nations,

1. *Commends* the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof,⁷ the text of which is annexed to the present resolution;

2. *Requests* the depositary Governments to open the Treaty for signature and ratification at the earliest possible date;

3. *Expresses the hope* for the widest possible adherence to the Treaty.

General Assembly Resolution 2661 (XXV): General and Complete Disarmament, December 7, 1970¹

A²

The General Assembly,

Convinced of the necessity, for the very survival of mankind, of bringing the nuclear arms race to an immediate halt,

Recalling its resolutions 2456 D (XXIII) of 20 December 1968³ and 2602 A (XXIV) of 16 December 1969,⁴

Noting with satisfaction the continuation of bilateral negotiations between the Governments of the Union of Soviet Socialist Republics and the United States of America on the limitation of offensive and defensive strategic nuclear-weapon systems,

Believing that the possibilities for rapid success in these negotiations would increase if steps were taken now by the nuclear-weapon Powers to halt the development of new nuclear weapons,

¹ *Ante*, pp. 500-516.

² *Ante*, pp. 475-479.

³ *Supra*.

⁴ A/RES, 2661 (XXV), Dec. 21, 1970.

⁵ Pt. A was approved by a vote of 102 to 0, with 14 abstentions (Australia, Austria, Belgium, China, Finland, France, Greece, Haiti, Italy, Luxembourg, Netherlands, Turkey, U.K., U.S.).

⁶ *Documents on Disarmament*, 1968, pp. 300-301.

⁷ *Ibid.*, 1969, pp. 710-711.

Urges the Governments of the nuclear-weapon Powers to bring about an immediate halt in the nuclear arms race and to cease all testing as well as deployment of offensive and defensive nuclear-weapon systems.

B⁵

The General Assembly,

Noting that all States have the inalienable right to develop research, production and use of nuclear energy for peaceful purposes without discrimination,

Aware of the development of new techniques for uranium enrichment,

Considering that these new techniques may contribute to the promotion of the use of nuclear energy for peaceful purposes,

Considering also that material produced by these new techniques may be diverted for weapons purposes unless subject to effective safeguards,

Noting that the International Atomic Energy Agency is engaged in the study of safeguards under the Treaty on the Non-Proliferation of Nuclear Weapons,⁶

1. *Requests* the International Atomic Energy Agency to pay attention also to the safeguards required with respect to new techniques for uranium enrichment;

2. *Further requests* the International Atomic Energy Agency to inform the General Assembly at its twenty-sixth session on its consideration of this subject.

C⁷

The General Assembly,

Recalling its resolution 2602 E (XXIV) of 16 December 1969,⁸

Further recalling its resolution 1722 (XVI) of 20 December 1961,⁹ by which it welcomed the joint statement of agreed principles for disarmament negotiations, submitted on 20 September 1961 by the Union of Soviet Socialist Republics and the United States of America,¹⁰

Reaffirming once again the responsibility of the United Nations in the attainment of general and complete disarmament, which is the most important question facing the world today,

Considering that it has declared the decade of the 1970s as the Disarmament Decade,

Having considered the working papers on a comprehensive programme of disarmament submitted by the Netherlands on 24

⁵ Pt. B was adopted by a vote of 107 to 0, with 7 abstentions.

⁶ *Documents on Disarmament*, 1968, pp. 451-465.

⁷ Pt. C was adopted by a vote of 106 to 0, with 10 abstentions (Bulgaria, Byelorussian S.S.R., Cuba, Czechoslovakia, France, Hungary, Mongolia, Poland, Ukrainian S.S.R., U.S.S.R.).

⁸ *Documents on Disarmament*, 1969, pp. 713-715.

⁹ *Ibid.*, 1961, pp. 741-742.

¹⁰ *Ibid.*, pp. 439-442.

February 1970¹¹ and by Italy on 19 August 1970,¹² and the draft comprehensive programme of disarmament submitted by Mexico, Sweden and Yugoslavia on 27 August 1970¹³ to the Conference of the Committee on Disarmament,

Having considered also the opinions expressed in the debates of the Conference of the Committee on Disarmament and of the First Committee concerning the question of a comprehensive programme of disarmament,

1. *Urges* the Conference of the Committee on Disarmament to make more intensive efforts to bring about a faster pace towards the achievement of disarmament measures;

2. *Expresses its appreciation* of the important and constructive documents and views submitted at the Conference of the Committee on Disarmament, including the working papers on a comprehensive programme of disarmament submitted by the Netherlands on 24 February 1970 and by Italy on 19 August 1970 and the draft comprehensive programme of disarmament submitted by Mexico, Sweden and Yugoslavia on 27 August 1970, and of the comprehensive programme of disarmament submitted to the General Assembly by Ireland, Mexico, Morocco, Pakistan, Sweden and Yugoslavia on 1 December 1970;¹⁴

3. *Recommends* to the Conference of the Committee on Disarmament that it take into account in its further work and its negotiations document A/8191 and Corr.1¹⁵ as well as other disarmament suggestions presented or to be presented in the future.

General Assembly Resolution 2662 (XXV): Question of Chemical and Bacteriological (Biological) Weapons, December 7, 1970¹

The General Assembly,

Mindful of the increasing concern of the international community over developments in the field of chemical and bacteriological (biological) weapons,

Recalling its resolutions 2454 A (XXIII) of 20 December 1968² and 2603 B (XXIV) of 16 December 1969,³

Having considered the report of the Conference of the Committee on Disarmament,⁴

Noting the report entitled Chemical and Bacteriological (Biological) Weapons and the Effects of their Possible Use,⁵ prepared by

¹¹ *Ante*, pp. 59-63.

¹² *Ante*, pp. 440-445.

¹³ *Ante*, pp. 459-465.

¹⁴ *Ante*, pp. 653-658.

¹⁵ *Ibid.*

¹ A/RES/2662 (XXV), Dec. 22, 1970. This resolution was adopted by a vote of 113-0, with France and Malta abstaining.

² *Documents on Disarmament*, 1968, pp. 793-795.

³ *Ibid.*, 1969, pp. 717-719.

⁴ *Ante*, p. 500-516.

⁵ *Documents on Disarmament*, 1969, pp. 264-298.

the Secretary-General in accordance with General Assembly resolution 2454 A (XXIII), with the assistance of consultant experts, and the report of the World Health Organization's group of consultants entitled *Health Aspects of Chemical and Biological Weapons*,⁶

Deeply convinced that the prospects for international peace and security, as well as the achievement of the goal of general and complete disarmament under effective international control, would be enhanced if the development, production and stockpiling of chemical and bacteriological (biological) agents for purposes of war were to end and if those agents were eliminated from all military arsenals,

Conscious of the need to maintain inviolate the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925,⁷ and to ensure its universal applicability,

Conscious of the urgent need for all States that have not already done so to accede to the Geneva Protocol of 1925,

1. *Reaffirms* its resolution 2162 B (XXI) of 5 December 1966⁸ and calls anew for the strict observance by all States of the principles and objectives of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925;

2. *Invites* all States that have not already done so to accede to or ratify the Geneva Protocol;

3. *Takes note of:*

(a) The revised draft Convention for the Prohibition of Biological Methods of Warfare, submitted on 18 August 1970 to the Conference of the Committee on Disarmament by the United Kingdom of Great Britain and Northern Ireland⁹;

(b) The revised draft Convention on the Prohibition of the Development, Production and Stockpiling of Chemical and Bacteriological (Biological) Weapons and on the Destruction of Such Weapons, submitted on 23 October 1970 to the General Assembly at its twenty-fifth session by Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Mongolia, Poland, Romania, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics¹⁰;

(c) The working papers, expert views and suggestions put forward in the Conference of the Committee on Disarmament and in the First Committee;

⁶ World Health Organization, *Health Aspects of Chemical and Biological Weapons: Report of a WHO Group of Consultants* (Geneva, 1970).

⁷ *Documents on Disarmament*, 1969, pp. 764-765.

⁸ *Ibid.*, 1966, pp. 798-799.

⁹ *Ante*, pp. 428-432.

¹⁰ *Ante*, pp. 533-534.

4. *Takes further note* of the joint memorandum on the question of chemical and bacteriological (biological) methods of warfare, submitted on 25 August 1970 to the Conference of the Committee on Disarmament by Argentina, Brazil, Burma, Ethiopia, India, Mexico, Morocco, Nigeria, Pakistan, Sweden, the United Arab Republic and Yugoslavia^{1 1};

5. *Commends* the following basic approach, contained in the joint memorandum, for reaching an effective solution to the problem of chemical and bacteriological (biological) methods of warfare;

(a) It is urgent and important to reach agreement on the problem of chemical and bacteriological (biological) methods of warfare;

(b) Both chemical and bacteriological (biological) weapons should continue to be dealt with together in taking steps towards the prohibition of their development, production and stockpiling and their effective elimination from the arsenals of all States;

(c) The issue of verification is important in the field of chemical and bacteriological (biological) weapons, and verification should be based on a combination of appropriate national and international measures, which would complement and supplement each other, thereby providing an acceptable system that would ensure the effective implementation of the prohibition;

6. *Requests* the Conference of the Committee on Disarmament to continue its consideration of the problem of chemical and bacteriological (biological) methods of warfare, with a view to prohibiting urgently the development, production and stockpiling of those weapons and to their elimination from the arsenals of all States;

7. *Requests* the Conference of the Committee on Disarmament to submit a report on the results achieved to the General Assembly at its twenty-sixth session;

8. *Requests* the Secretary-General to transmit to the Conference of the Committee on Disarmament all documents and records of the First Committee relating to questions connected with the problem of chemical and bacteriological (biological) methods of warfare.

General Assembly Resolution 2663 (XXV): Urgent Need for Suspension of Nuclear and Thermonuclear Tests, December 7, 1970¹

A²

The General Assembly.

Recognizing the urgent need for the cessation of nuclear and thermonuclear weapon tests, including those carried out underground,

^{1 1} *Ante*, pp. 453-455

¹ A/RES/2663 (XXV), Dec. 22, 1970.

² Pt. A was approved by a vote of 102 to 0, with 13 abstentions.

Taking into account the determination expressed by the parties in the preamble of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water, signed in Moscow on 5 August 1963,³ to continue negotiations to achieve the discontinuance of all test explosions of nuclear weapons for all time,

Taking also into account the undertaking by the parties in article V of the Treaty on the Non-Proliferation of Nuclear Weapons⁴ to pursue negotiations in good faith on effective measures relating to the cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control,

Recalling its resolutions 2163 (XXI) of 5 December 1966,⁵ 2343 (XXII) of 19 December 1967,⁶ 2455 (XXIII) of 20 December 1968⁷ and 2604 (XXIV) of 16 December 1969,⁸

Recalling further that in the above-mentioned resolutions the General Assembly expressed the hope that States would contribute to an effective international exchange of seismic data,

Noting the responses submitted up to the present date to the request for information circulated by the Secretary-General pursuant to resolution 2604 (XXIV),⁹

Having considered the report submitted on 11 [3] September 1970 by the Conference of the Committee on Disarmament,¹⁰ and in particular the annexes thereto concerned with facilitating the achievement of a comprehensive test ban through the international exchange of seismic data,

1. *Expresses its appreciation* of the information received thus far in response to the request made by the Secretary-General pursuant to General Assembly resolution 2604 (XXIV);

2. *Urges* Governments to consider and, wherever possible, to implement methods of improving their capability to contribute high-quality seismic data with assured international availability, taking into account the suggestions contained in the documents annexed to the report of the Conference of the Committee on Disarmament, and invites those Governments that are in a position to do so to consider lending their assistance in the improvement of world-wide seismological capabilities in order to facilitate, through the assured international availability of seismic data, the achievement of a comprehensive test ban;

3. *Invites* members of the Conference of the Committee on Disarmament to co-operate in further study of this issue.

³ *Documents on Disarmament, 1963*, pp. 291-293.

⁴ *Ibid.*, 1968, pp. 461-465.

⁵ *Ibid.*, 1966, pp. 802-803.

⁶ *Ibid.*, 1967, p. 731.

⁷ *Ibid.*, 1968, pp. 796-797.

⁸ *Ibid.*, 1969, pp. 719-722.

⁹ A/7967 and Adds. 4-5, Corr. 1-2. Adds. 4-5, Corr. 1-2.

¹⁰ *Ante*, op. 500-518.

B¹¹

The General Assembly,

Having considered the question of the urgent need for suspension of nuclear and thermonuclear tests and the report of the Conference of the Committee on Disarmament,

Recalling its resolutions 1762 (XVII) of 6 November 1962,¹² 1910 (XVIII) of 27 November 1963,¹³ 2032 (XX) of 3 December 1965,¹⁴ 2163 (XXI) of 5 December 1966, 2343 (XXII) of 19 December 1967, 2455 (XXIII) of 20 December 1968 and 2604 B (XXIV) of 16 December 1969,

Noting with regret that all States have not yet adhered to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water, signed in Moscow on 5 August 1963,

Noting with increasing concern that nuclear weapon tests in the atmosphere and underground are continuing,

Taking into account that several concrete suggestions have been set forth in the Conference of the Committee on Disarmament as to possible provisions in a treaty banning underground nuclear weapon tests,

1. *Urges* all States that have not yet done so to adhere without further delay to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water,

2. *Calls upon* all nuclear-weapon States to suspend nuclear weapon tests in all environments,

3. *Requests* the Conference of the Committee on Disarmament to continue, as a matter of urgency, its deliberations on a treaty banning underground nuclear weapon tests, taking into account the proposals already made in the Conference as well as the views expressed at the current session of the General Assembly, and to submit to the Assembly at its twenty-sixth session a special report on the results of its deliberations.

General Assembly Resolution 2664 (XXV): Implementation of the Results of the Conference of Non-Nuclear-Weapon States, December 7, 1970¹

The General Assembly,

Having reviewed the report of the Secretary-General on the implementation of the results of the Conference of Non-Nuclear-Weapon States,² prepared in pursuance of General Assembly resolution 2605 A (XXIV), of 16 December 1969,³

¹¹ Pt. B was adopted by a vote of 112 to 0, with one abstention.

¹² *Documents on Disarmament*, 1962, vol. II, pp. 1029-1033.

¹³ *Ibid.*, 1963, p. 627.

¹⁴ *Ibid.*, 1965, pp. 623-624.

¹ A/RES/2664 (XXV), Dec. 22, 1970. This resolution was adopted by a vote of 106-0, with 9 abstentions.

² A/8079, Oct. 6, 1970, and Add. 1.

³ *Documents on Disarmament*, 1969, pp. 723-725.

*Having reviewed in particular the comprehensive report, annexed thereto, regarding action taken by the International Atomic Energy Agency on the recommendations of the Conference of Non-Nuclear-Weapon States,*⁴

Recognizing the importance of increasing the number of major nuclear projects in the developing countries,

Noting with satisfaction that the International Atomic Energy Agency is maintaining a fund of special fissionable materials and intends to continue its efforts to ensure the supply to States members of the Agency, when required, of such materials, including materials for power reactors,

Appreciating the assistance given by the United Nations Development Programme through the International Atomic Energy Agency to meet the growing demand of developing countries in the field of the peaceful uses of atomic energy.

Noting the launching in 1970 of the International Nuclear Information Service to improve the identification and availability of information relating to nuclear science and its applications for peaceful purposes,

Noting the recent steps taken by the International Atomic Energy Agency to meet its increasing responsibilities,

1. *Notes with satisfaction the report of the Secretary-General and the report of the International Atomic Energy Agency annexed thereto;*

2. *Takes note of the increase in the target for voluntary contributions to the programme of technical assistance of the International Atomic Energy Agency and draws the attention of States members of the Agency to the appeals made to increase the funds available to the Agency for multilateral assistance in the nuclear field;*

3. *Recommends that the international sources of finance should keep under review their policies regarding the financing of meritorious nuclear projects, bearing in mind not only the short-range but also the long-range contribution such projects may make to economic and technical development;*

4. *Invites the specialized agencies, the International Atomic Energy Agency and other bodies to pursue as appropriate their action concerning the recommendations contained in the resolutions of the Conference of Non-Nuclear-Weapon States;*

5. *Invites the Director-General of the International Atomic Energy Agency, in consultation with the specialized agencies and other bodies concerned, to submit, in his annual report to the General Assembly, information on further developments concerning the question of the implementation of the results of the Conference of Non-Nuclear-Weapon States;*

6. *Requests the Secretary-General to include in the provisional agenda of the twenty-sixth session of the General Assembly the question of the implementation of the results of the Conference of Non-Nuclear-Weapon States.*

⁴ *Ante*, pp. 362-372.

General Assembly Resolution 2665 (XXV): Establishment, Within the Framework of the International Atomic Energy Agency, of an International Service for Nuclear Explosions for Peaceful Purposes Under Appropriate International Control, December 7, 1970⁵

The General Assembly,

Having reviewed the report of the International Atomic Energy Agency⁶ on the establishment, within the framework of the International Atomic Energy Agency, of an international service for nuclear explosions for peaceful purposes under appropriate international control,

Appreciating the work undertaken by the International Atomic Energy Agency in this respect,

Noting that the International Atomic Energy Agency has convened a number of expert groups to advise the Director-General of the Agency on the technical aspects of this technology and on the character of the international observation it might perform pursuant to the Treaty on the Non-Proliferation of Nuclear Weapons,

1. *Expresses its appreciation* of the studies recently performed on this subject;

2. *Commends* the International Atomic Energy Agency for its efforts to compile and evaluate information on the present status of the technology and to make it available on an international scale;

3. *Requests* the International Atomic Energy Agency to continue and intensify its programme in this field;

4. *Requests* the Secretary-General to include in the provisional agenda of the twenty-sixth session of the General Assembly an item entitled "Establishment, within the framework of the International Atomic Energy Agency, of an international service for nuclear explosions for peaceful purposes under appropriate international control".

General Assembly Resolution 2666 (XXV): Status of Implementation of General Assembly Resolution on Additional Protocol II to the Treaty for the Prohibition of Nuclear Weapons in Latin America, December 7, 1970¹

The General Assembly,

Recalling its resolution 1911 (XVIII) of 27 November 1963,² in which it expressed its confidence that the States that possess

⁵ A/RES/2665 (XXV), Dec. 28, 1970. This resolution was adopted by a vote of 109-0, with 5 abstentions.

⁶ *Ante*, pp. 446-453.

¹ A/RES/2666 (XXV), Dec. 28, 1970. This resolution was adopted by a vote of 104-0, with 12 abstentions (Bulgaria, Byelorussian SSR, Cuba, Czechoslovakia, France, Hungary, Mongolia, Poland, Sudan, Syria, Ukrainian SSR, USSR).

² *Documents on Disarmament*, 1963, pp. 628-629.

nuclear weapons would give their full co-operation for the effective realization of the initiative aimed at the military denuclearization of Latin America,

Recalling also its resolution 2286 (XXII) of 5 December 1967,³ in which it welcomed with special satisfaction the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco)⁴ and declared that the Treaty constituted an event of historic significance in the efforts to prevent the proliferation of nuclear weapons and to promote international peace and security,

Bearing in mind that the Treaty has an Additional Protocol II, which was opened for signature by States possessing nuclear weapons on 14 February 1967,⁵

Noting that the Conference of Non-Nuclear-Weapon States, in its resolution B,⁶ expressed the conviction that, for the maximum effectiveness of any treaty establishing a nuclear-weapon-free zone, the co-operation of the nuclear-weapon States is necessary and that such co-operation should take the form of commitments likewise undertaken in a formal international instrument which is legally binding, such as a treaty, convention or protocol,

Considering that accession to that Protocol only entails the following obligations for the nuclear-weapon States:

(a) To respect, in all its express aims and provisions the statute of denuclearization of Latin America in respect of warlike purposes, as defined, delimited and set forth in the Treaty of Tlatelolco,

(b) Not to contribute in any way to the performance of acts involving a violation of the obligations of article 1 of the Treaty in the territories to which the Treaty applies,

(c) Not to use or threaten to use nuclear weapons against the contracting parties of the Treaty,

Convinced that these obligations are entirely in conformity with the general obligations assumed under the Charter of the United Nations, which every Member of the Organization has solemnly undertaken to fulfil in good faith, as set forth in Article 2 of the Charter,

Noting that, despite the appeals that the General Assembly has addressed to them on two occasions, in resolutions 2286 (XXII) of 5 December 1967 and 2456 B (XXIII) of 20 December 1968,⁷ and the appeals they have received from the Conference of Non-Nuclear-Weapon States, in resolution B, and from the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America, in resolution 1 (I),⁸ only two of the States that possess nuclear weapons have so far signed Additional Protocol II and only one has ratified it,

³ *Ibid.*, 1967, pp. 620-621.

⁴ *Ibid.*, pp. 69 ff.

⁵ *Ibid.*, p. 83.

⁶ *Ibid.*, 1968, pp. 672-674.

⁷ *Ibid.*, p. 799.

⁸ *Ibid.*, pp. 447-449.

Noting also that the Treaty of Tlatelolco, which has been signed by twenty-two Latin American States, is already in force for sixteen of them,

Bearing in mind the repeatedly stated declarations of the nuclear-weapon States to the effect that nuclear-weapon-free zones established on the initiative of the States within the zone should be supported,

Noting that the Treaty of Tlatelolco is the only one it has been possible to conclude for the establishment of such a zone in a densely populated area and that, as a result of the Treaty, there already exists a statute of total absence of nuclear weapons covering an area of 6.6 million square kilometres with a population of approximately 117 million inhabitants,

Noting also that the Agency for the Prohibition of Nuclear Weapons in Latin America has been duly established in conformity with the Treaty and became operative on 2 September 1969,

1. *Reaffirms* the appeals it has addressed to the nuclear-weapon States, in its resolutions 2286 (XXII) and 2456 B (XXIII), to sign and ratify Additional Protocol II of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco) as soon as possible;

2. *Notes with satisfaction* that one of those States has already signed and ratified the Protocol and that another has signed it and is now actively engaged in the ratification process;

3. *Deplores* that not all nuclear-weapon States have as yet signed the Protocol;

4. *Decides* to include in the provisional agenda of its twenty-sixth session an item entitled "Status of the implementation of General Assembly resolution 2666 (XXV) concerning the signature and ratification of Additional Protocol II of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco)";

5. *Requests* the Secretary-General to arrange for transmittal of the present resolution to the nuclear-weapon States and to inform the General Assembly at its twenty-sixth session of any measure adopted by them in order to implement it.

General Assembly Resolution 2667 (XXV): Economic and Social Consequences of the Armaments Race and Its Extremely Harmful Effects on World Peace and Security, December 7, 1970¹

The General Assembly,

Conscious of the threat to mankind posed by the ever-spiralling arms race, especially in view of the existing large stockpiles of and impending new qualitative advances in nuclear armaments,

¹ A/RES/2667 (XXV), Jan. 4, 1971. This resolution was unanimously approved.

Aware that world military expenditures have been continuously increasing, in spite of the achievements in the field of arms limitation and disarmament during the 1960s,

Convinced that unless vigorous measures are taken without delay to stop the arms race and to make concrete progress towards disarmament, giving the highest priority to nuclear disarmament, military expenditure is likely to increase at an even greater rate during the 1970s,

Deeply concerned that the arms race, nuclear and conventional, constitutes one of the heaviest burdens which peoples everywhere have to bear and that it absorbs immense material wealth, human energy and intellectual resources,

Deeply convinced that the elimination of the enormous waste of wealth and talent on the arms race, which is detrimental to the economic and social life of all States, would have a positive impact, especially on the developing countries, where the need for skilled personnel and the lack of material and financial resources are most keenly felt,

Convinced that a halt in the arms race, a reduction of military expenditures and concrete progress towards disarmament would greatly facilitate the achievement by nations of their economic and social goals and would contribute effectively to the improvement of international relations and the maintenance of world peace and security,

Conscious that it is the fundamental task of the United Nations to promote, in accordance with the Charter, the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources,

Determined to take appropriate steps to bring the arms race to a halt and to make progress towards general and complete disarmament, which is the most important question facing the world today,

Wishing to promote the elaboration and implementation of a comprehensive programme for disarmament, which would also facilitate the United Nations development programmes during the 1970s,

Believing that thorough consideration of the main aspects of the arms race would facilitate a better understanding and evaluation of its negative consequences and of the great dangers with which it is fraught,

1. *Calls upon* all States to take effective steps for the cessation and reversal of the arms race and for the achievement of steady progress in the field of disarmament;

2. *Requests* the Conference of the Committee on Disarmament to continue to pay urgent attention to all questions meant to put an end to the arms race, particularly in the nuclear field,

3. *Requests* the Secretary-General to prepare, with the assistance of qualified consultant experts appointed by him, a report on the economic and social consequences of the arms race and of military expenditures;

4. *Calls upon* all Governments to extend their full co-operation to the Secretary-General to ensure that the study is carried out in the most effective way;

5. *Calls upon* non-governmental organizations and international institutions and organizations to co-operate with the Secretary-General in the preparation of the report;

6. *Requests* that the report be transmitted to the General Assembly in time to permit its consideration at the twenty-sixth session.

News Conference Remarks by President Nixon [Extract], December 10, 1970²

Q. Are you concerned, Mr. President, that there may be any serious deterioration in U.S.-Soviet relations as reflected in the progress of the SALT talks, and the Big Four Berlin talks?

The President. I have noted the speculation to the effect that U.S.-Soviet relations—sometimes they're warmer and sometimes they're cooler. I would only suggest that U.S.-Soviet relations are going to continue to be difficult, but the significant thing is that we are negotiating and not confronting. We are talking at SALT. We are very far apart because our vital interests are involved, but we are talking, and our vital interests, the interests of both the Soviet Union and the United States, require that we have some limitation on arms, both because of the cost and because of the danger of a nuclear confrontation.

And so it is with Berlin, so it is with the Mideast. I am not suggesting that we are going to find easy agreement, because we are two great powers that are going to continue to be competitive for our lifetime. But I believe that we must continue on the path of negotiation, and in my long talk with Mr. Gromyko, I think there are some other areas where we can negotiate.

General Assembly Resolution 2685 (XXV): Economic and Social Consequences of Disarmament, December 11, 1970¹

The General Assembly,

Recalling its resolutions 1516 (XV) of 15 December 1960,² 1837 (XVII) of 18 December 1962,³ 1931 (XVIII) of 11

² *Weekly Compilation of Presidential Documents*, Dec. 14, 1970, p. 1655.

¹ A/RES/2685 (XXV), Jan. 8, 1971. The plenary General Assembly adopted this resolution by a vote of 87-9, with 14 abstentions. In the Second Committee, it had been approved by a vote of 74-9, with 14 abstentions. The 9 countries that opposed the vote in the Second Committee were: Bulgaria, Byelorussian SSR, Cuba, Czechoslovakia, Hungary, Mongolia, Poland, Ukrainian SSR, and USSR. The countries that abstained in the Second Committee were: Australia, Belgium, Burma, Canada, Denmark, Finland, Ireland, New Zealand, Portugal, Romania, South Africa, Sweden, U.K., U.S.

² *Documents on Disarmament, 1960*, pp. 368-369.

³ *Ibid.*, 1962, vol. II, pp. 1236-1238.

December 1963⁴ and 2387 (XXIII) of 19 November 1968⁵ on the conversion to peaceful needs of the resources released by disarmament, resolution 2526 (XXIV) of 5 December 1969⁶ on a day for peace and resolution 2602 E (XXIV) of 16 December 1969 declaring the decade of the 1970s as a Disarmament Decade,⁷ and also Economic and Social Council resolutions 891 (XXIV) of 26 July 1962,⁸ 982 (XXXVI) of 2 August 1963⁹ and 1026 (XXXVII) of 11 August 1964 on the economic and social consequences of disarmament,¹⁰

Recalling the report of the consultative group of experts on the economic and social consequences of disarmament¹¹ and the various reports of the Secretary-General on national studies of the subject,¹²

Aware that progress towards general and complete disarmament would release substantial resources which could be utilized for accelerating economic and social development in general and in the developing countries in particular,

Encouraged that the great Powers are exerting efforts to prevent what might become an uncontrollable escalation of the nuclear arms race,

Recalling further that the International Development Strategy for the Second United Nations Development Decade has called for a close link between the Disarmament Decade and the Development Decade,

Recognizing likewise the importance of adopting appropriate measures to ensure that the link between the Disarmament Decade and the Second United Nations Development Decade shall be fully understood and utilized in as practical and comprehensive a manner as possible,

1. *Requests* the Secretary-General, in consultation with such advisers as he may deem it necessary to designate:

(a) To formulate suggestions for the guidance of Member States, the specialized agencies and the International Atomic Energy Agency, as well as other organizations of the United Nations system, with a view to establishing the link between the Disarmament Decade and the Second United Nations Development Decade so that an appropriate portion of the resources that are released as a consequence of progress towards general and

⁴ *Ibid.*, 1963, pp. 638-640.

⁵ *Ibid.*, 1968, p. 727.

⁶ General Assembly Official Records: Twenty-fourth Session, Supplement No. 30 (A/7630), pp. 32-33.

⁷ *Documents on Disarmament*, 1969, pp. 713-715.

⁸ *Ibid.*, 1962, vol. II, pp. 697-699.

⁹ *Ibid.*, 1963, pp. 279-281.

¹⁰ *Ibid.*, 1964, pp. 326-337.

¹¹ *Ibid.*, 1962, vol. I, pp. 42-48.

¹² *Ibid.*, 1964, pp. 256-275; *ibid.*, 1965, pp. 155-168; Economic and Social Council Official Records: Forty-first Session, Annexes, Agenda Item 32 (E/4157); *Documents on Disarmament*, 1968, pp. 220-221.

complete disarmament would be used to increase assistance for the economic and social development of developing countries;

(b) To propose measures for the mobilization of world public opinion in support of the link between disarmament and development and thus encourage intensified negotiations aimed at progress towards general and complete disarmament under effective international control;

2. *Requests* Member States, the specialized agencies and the International Atomic Energy Agency, as well as other organizations of the United Nations system, to submit to the Secretary-General their comments and recommendations on the matters indicated in paragraph 1 above;

3. *Requests* the Secretary-General to submit a report thereon, through the Economic and Social Council, in time for consideration by the General Assembly in 1973 at the first biennial review of the implementation of the International Development Strategy for the Second United Nations Development Decade.

Interview Between Edgar Snow and Premier Chou En-lai [Extracts], December 13, 1970¹

I asked the Premier if he would now renew the appeal made by China at the beginning of the sixties for a summit conference aimed at the prohibition of the production and use of nuclear weapons and their total destruction.²

"I must clarify our position on this problem," replied Chou En-lai. "In the first place, our nuclear tests are still in the experimental stage, and each of them is carried out within certain limits and only when necessary. Their aim is to break nuclear monopoly and blackmail and to remove the danger of a nuclear conflict. Therefore, every time we make a test we declare that in no circumstances will China be the first to employ nuclear weapons. We renew the proposal for a summit conference of all countries of the world, great and small, to reach agreement on the total prohibition of nuclear weapons, and, as a first step, an understanding on the prohibition of using them. After the test that we conducted on October 14, the Japanese Socialist Party expressed its support for our position and our proposal." . . .

The talks between the superpowers on "the so-called limitation of nuclear weapons," said the Premier, are aimed only at maintaining predominance in this field. Each power thinks only of how to "limit" the other in order to preserve its own superiority. It is true that the United States and the Soviet Union desire to "limit" the high costs deriving from the maintenance of their

¹ *Epoca* (Milan), Dec. 13, 1970. ACDA translation.

² See *Documents on Disarmament*, 1964, p. 455.

monopoly of terror; nevertheless, the costs have continued to mount at a dizzy rate even while the talks were in progress. As to the possibility of resolving their contradictions, "we are not their Chiefs of Staff." "We do not have illusions on this type of 'disarmament'," Chou En-lai continued. "For twenty-five years they have been engaged in increasing their armaments, and they have done nothing for disarmament."

Interview of ACDA Director Smith With *U.S. News and World Report*: Strategic Arms Limitation Talks, December 14, 1970¹

Q. Mr. Smith, are the Soviets really serious about reaching an arms-control agreement—considering the recent missile violations in the Middle East?

A. We hope the Soviets will continue to take a serious attitude in the Strategic Arms Limitation Talks. There should be as much advantage in a SALT agreement for them as for us. But tensions with the U.S.S.R. in other areas cannot fail to have a negative influence on SALT. We hope that the Soviet leaders will consider SALT to be in their interest. We believe it is.

Q. What confidence can the U.S. have that the Russians would live up to an agreement to limit strategic arms?

A. We will not conclude an agreement that relies on good faith or trust. We have conducted an exhaustive analysis of the strategic balance, weapons system by weapons system. Our studies have examined our intelligence capabilities to detect possible violations, what violations might be possible, the strategic significance of various types of possible violations and what we could do about a violation if it occurred.

Our positions are based on this analysis. It is the most comprehensive study ever made of strategic-weapons systems. In other words, we are not basing our confidence on what we hope the Soviets would do under an agreement but on our ability to verify what they actually do.

Q. Even if the U.S. could detect a violation, as it did in the case of the missile sites in the Middle East, wouldn't the damage already be done?

A. A Soviet-American agreement limiting strategic-weapons systems cannot be compared with the standstill arrangement in the Middle East.

In the Middle East, emplacement of some surface-to-air missiles could make a military difference, and the SAM installations were moved in a matter of weeks. In the strategic nuclear balance, only

¹ *U.S. News & World Report*, Dec. 14, 1970, pp. 62-63.

a substantial build-up in offensive or defensive systems would be strategically significant. We believe we would have ample advance warning that a significant violation was occurring, so that we could take the necessary countermeasures to insure that we not be placed in a disadvantageous position.

Q. Are Department of Defense officials in the Pentagon in favor of an arms agreement?

A. Yes. The Secretary of Defense and other top Pentagon officials have testified before congressional committees and have stated in public addresses on a number of occasions that they believe the objectives of SALT are in the best interests of the United States and that they are hopeful for the success of SALT.

Q. Have you made a specific proposal to the Russians?

A. The United States has presented a proposal, but I can't comment on the specifics of either the U.S. or the Soviet positions. We agreed at the beginning of the talks that they would be private, and it would thus not be appropriate for me to go into the substantive aspects of the negotiations.

Q. Are you satisfied with the rate of progress?

A. Given the complex nature of the talks and considering that they go to the heart of the security of both sides, the discussions have given some grounds for encouragement. From the start we knew that quick breakthroughs were not to be expected. It is reasonable for both sides to proceed very cautiously. The significant point is that there is a mutuality of interests and the work of the delegations is to define areas of possible agreement. We are satisfied that this work is proceeding.

Q. What weapons systems are being discussed?

A. Limitations on strategic-weapons systems—such as ballistic missiles (ICBM's), sea-based ballistic missiles, anti-ballistic missiles (ABM's) and heavy bombers are being discussed.

Q. Considering the progress that Communist China may make in nuclear weaponry, would an arms-control agreement with the Soviets alone be in U.S. interests?

A. In the field of strategic arms, both the United States and the Soviet Union are far ahead of anything that Communist China can possibly hope to achieve over a period of 10 to 15 years. At present, China has some medium-range missiles but no intercontinental rockets and does not now represent a strategic nuclear threat to the U.S.

Nonetheless, Communist China could pose a different problem in the future, in which case both the Soviet Union and ourselves would have to reassess the situation. In this connection, we

anticipate a provision in any SALT agreement for periodic re-examination of the strategic situation.

Q. There has been speculation that a limited agreement will be reached during the SALT negotiations now under way in Helsinki. Do you agree?

A. We expect continued progress at Helsinki. It would not be surprising or discouraging if we did not reach an agreement at this session. But we hope that the expected progress will assume as concrete a form as possible. In any event, there should emerge from the Helsinki phase a clearer indication as to whether an agreement is possible.

General Assembly Resolution 2749 (XXV): Declaration of Principles Governing the Sea-Bed and the Ocean Floor, and the Subsoil Thereof, Beyond the Limits of National Jurisdiction, December 17, 1970¹

The General Assembly,

Recalling its resolutions 2340 (XXII) of 18 December 1967,² 2467 (XXIII) of 21 December 1968³ and 2574 (XXIV) of 15 December 1969,⁴ concerning the area to which the title of the item refers,

Affirming that there is an area of the sea-bed and the ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction, the precise limits of which are yet to be determined,

Recognizing that the existing legal régime of the high seas does not provide substantive rules for regulating the exploration of the aforesaid area and the exploitation of its resources,

Convinced that the area shall be reserved exclusively for peaceful purposes and that the exploration of the area and the exploitation of its resources shall be carried out for the benefit of mankind as a whole,

Believing it essential that an international régime applying to the area and its resources and including appropriate international machinery should be established as soon as possible,

Bearing in mind that the development and use of the area and its resources shall be undertaken in such a manner as to foster the healthy development of the world economy and balanced growth of international trade, and to minimize any adverse economic effects caused by the fluctuation of prices of raw materials resulting from such activities,

¹ A/RES/2749 (XXV), Jan. 28, 1971. The resolution was adopted by a vote of 108 to 0, with 14 abstentions (including the USSR).

² *Documents on Disarmament*, 1967, pp. 727-729.

³ *Ibid.*, 1968, pp. 802-808.

⁴ *General Assembly Official Records: Twenty-fourth Session, Supplement No. 30 (A/7630)*, pp. 10-11.

Solemnly declares that:

1. The sea-bed and ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction (hereinafter referred to as the area), as well as the resources of the area, are the common heritage of mankind.

2. The area shall not be subject to appropriation by any means by States or persons, natural or juridical, and no State shall claim or exercise sovereignty or sovereign rights over any part thereof.

3. No State or person, natural or juridical, shall claim, exercise or acquire rights with respect to the area or its resources incompatible with the international régime to be established and the principles of this Declaration.

4. All activities regarding the exploration and exploitation of the resources of the area and other related activities shall be governed by the international régime to be established.

5. The area shall be open to use exclusively for peaceful purposes by all States, whether coastal or land-locked, without discrimination, in accordance with the international régime to be established.

6. States shall act in the area in accordance with the applicable principles and rules of international law, including the Charter of the United Nations and the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, adopted by the General Assembly on 24 October 1970,⁵ in the interests of maintaining international peace and security and promoting international co-operation and mutual understanding.

7. The exploration of the area and the exploitation of its resources shall be carried out for the benefit of mankind as a whole, irrespective of the geographical location of States, whether land-locked or coastal, and taking into particular consideration the interests and needs of the developing countries.

8. The area shall be reserved exclusively for peaceful purposes, without prejudice to any measures which have been or may be agreed upon in the context of international negotiations undertaken in the field of disarmament and which may be applicable to a broader area. One or more international agreements shall be concluded as soon as possible in order to implement effectively this principle and to constitute a step towards the exclusion of the sea-bed, the ocean floor and the subsoil thereof from the arms race.

9. On the basis of the principles of this Declaration, an international régime applying to the area and its resources and including appropriate international machinery to give effect to its provisions shall be established by an international treaty of a universal character, generally agreed upon. The régime shall, *inter*

⁵ A/RES/2625 (XXV), Nov. 4, 1970.

alia, provide for the orderly and safe development and rational management of the area and its resources and for expanding opportunities in the use thereof and ensure the equitable sharing by States in the benefits derived therefrom, taking into particular consideration the interests and needs of the developing countries, whether land-locked or coastal.

10. States shall promote international co-operation in scientific research exclusively for peaceful purposes:

(a) By participation in international programmes and by encouraging co-operation in scientific research by personnel of different countries;

(b) Through effective publication of research programmes and dissemination of the results of research through international channels;

(c) By co-operation in measures to strengthen research capabilities of developing countries, including the participation of their nationals in research programmes.

No such activity shall form the legal basis for any claims with respect to any part of the area or its resources.

11. With respect to activities in the area and acting in conformity with the international régime to be established, States shall take appropriate measures for and shall co-operate in the adoption and implementation of international rules, standards and procedures for, *inter alia*:

(a) The prevention of pollution and contamination, and other hazards to the marine environment, including the coastline, and of interference with the ecological balance of the marine environment;

(b) The protection and conservation of the natural resources of the area and the prevention of damage to the flora and fauna of the marine environment.

12. In their activities in the area, including those relating to its resources, States shall pay due regard to the rights and legitimate interests of coastal States in the region of such activities, as well as of all other States, which may be affected by such activities. Consultations shall be maintained with the coastal States concerned with respect to activities relating to the exploration of the area and the exploitation of its resources with a view to avoiding infringement of such rights and interests.

13. Nothing herein shall affect:

(a) The legal status of the waters superjacent to the area or that of the air space above those waters;

(b) The rights of coastal States with respect to measures to prevent, mitigate or eliminate grave and imminent danger to their coastline or related interests from pollution or threat thereof or from other hazardous occurrences resulting from or caused by any activities in the area, subject to the international régime to be established.

14. Every State shall have the responsibility to ensure that activities in the area, including those relating to its resources, whether undertaken by governmental agencies, or non-governmental entities or persons under its jurisdiction, or acting on its behalf, shall be carried out in conformity with the international régime to be established. The same responsibility applies to international organizations and their members for activities undertaken by such organizations or on their behalf. Damage caused by such activities shall entail liability.

15. The parties to any dispute relating to activities in the area and its resources shall resolve such dispute by the measures mentioned in Article 33 of the Charter of the United Nations and such procedures for settling disputes as may be agreed upon in the international régime to be established.

American-Soviet Communique on Strategic Arms Limitation Talks, December 18, 1970¹

In accordance with the agreement between the Governments of the United States of America and the Soviet Union, negotiations on the question of limiting strategic armaments continued in Helsinki from November 2 to December 18, 1970.

The U.S. delegation was headed by the Director of the U.S. Arms Control and Disarmament Agency, Gerard Smith. Members of the delegation included J. Graham Parsons, Paul Nitze, Harold Brown, and Royal Allison.

The U.S.S.R. delegation was headed by the Deputy Minister of Foreign Affairs of U.S.S.R., V. S. Semenov. Members of the delegation included N. V. Ogarkov, P. S. Pleshakov, A. N. Shchukin, and O. A. Grinevsky.

The delegations were accompanied by advisors and experts.

In the continuing course of the negotiations a wide range of questions dealing with the problem of limiting strategic offensive and defensive armaments was considered. The exchange further clarified a number of aspects of the matters discussed. Both delegations expressed their determination to pursue the negotiations with the aim of limiting strategic offensive and defensive armaments.

Agreement was reached that negotiations between the U.S. and the U.S.S.R. delegations will be resumed on March 15, 1971, in Vienna, Austria.

The two delegations express their appreciation to the Government of Finland for assisting in establishing favorable conditions for holding the negotiations, and for the warm hospitality extended to them.

¹ *Department of State Bulletin*, Jan. 11, 1971, p. 55.

News Conference Remarks by Secretary of State Rogers: Strategic Arms Limitation Talks [Extract], December 23, 1970¹

Q. I wonder if you could sum up the progress toward the SALT agreement, and specifically, whether you could discuss the problem of forward-based aircraft, which the Soviets seem to insist on including in any ceiling?

A. As you know, we have proceeded on the premise and with the understanding that we will not discuss what goes on in those talks, and I am going to continue to follow that rule. As far as the general comments on the SALT talks, I can say this, that although they have not proceeded as fast as we hoped they would, we still think that these talks in Helsinki have been useful, and they have provided, I think, prospects for progress in the future. There has been a very active exchange of ideas, a good deal of probing on both sides, and we still have hopes that the negotiations will result in agreement.

I am neither optimistic nor pessimistic. I try to be realistic. I think there are still prospects for an agreement. It may take a little more time than we wished it would.

Tenth Annual Report of the United States Arms Control and Disarmament Agency, January 27, 1971²

LETTER OF SUBMITTAL

January 27, 1971

MR. PRESIDENT:

I submit herewith to you for transmittal to the Congress, as required by the Arms Control and Disarmament Act, the tenth annual report of the U.S. Arms Control and Disarmament Agency.

This report covers the activities of the Agency for the calendar year 1970. Arrangements have been made for it to be printed by the Government Printing Office as an Agency publication.

Respectfully,

GERARD SMITH

THE PRESIDENT,
The White House.

¹ *Department of State Bulletin*, Jan. 11, 1971, pp. 46-47.

² *10th Annual Report to Congress (ACDA pub. 57, 1971).*

LETTER OF TRANSMITTAL

To the Congress of the United States:

The report which I transmit to you covers the activities of the U.S. Arms Control and Disarmament Agency during the calendar year 1970. It is noteworthy that this is the Agency's Tenth Annual Report; it marks a decade of diligent pursuit of arms control and disarmament.

I have set as my goal the attainment of a generation of peace. I believe that arms control presents both a necessary and a promising road towards a stable, secure world in which true peace can exist. There are many problems to be solved and the answers will not come easily, but with determination and perseverance, we can prevail.

For the first time, a realistic dialogue is taking place between the Soviet Union and ourselves about the management of our strategic relations. The mutuality of interests which brought us to the table encourages our hope that the Strategic Arms Limitation Talks will succeed. I am heartened by the work which has already been done, and I am hopeful that the constructive nature of the exchange will continue in Phase IV of SALT, which resumes in Vienna in March.

During the past year, another arms control measure was added to the growing number which have emerged from international negotiations. A treaty banning weapons of mass destruction from the ocean floor was successfully negotiated, thus expanding still farther the areas and environments in which nuclear weapons are precluded.

These and other efforts in the arms control field are described in the accompanying report. Progress is not always dramatic, but the direction is sure. My Administration is dedicated to finding better, safer, and cheaper alternatives for insuring our security than the expedient of competition in weaponry.

RICHARD NIXON

THE WHITE HOUSE,
March 15, 1971

INTRODUCTION

During 1970 the United States Government pursued a policy of working toward "a durable structure of international relationships which inhibits or removes the causes of war."¹

Avoidance of all conflict seems an unrealistic goal, but arms control, through bilateral and multilateral negotiations, or, in some circumstances, through unilateral actions of restraint, offers prospects for reducing the probability of hostilities and diminishing their effects if they do occur.

The act establishing the U.S. Arms Control and Disarmament Agency (ACDA) in 1961 charged the new Agency with the

¹ *United States Foreign Policy for the 1970's: A New Strategy for Peace* (H. doc. 91-258, 91st Cong., 2d sess.), p. 4.

"formulation and implementation of U.S. arms control and disarmament policy in a manner which will promote the national security."² Thus the Congress recognized that arms control is an integral part of foreign policy and national security programs and objectives.

Seeking security through military strength alone does not necessarily serve our best interests in the nuclear age. The addition of new weapons systems can actually diminish security by causing counter-reaction by an adversary. Conversely, restraints in the development and deployment of weapons systems, brought about by verifiable arms control agreements, can result in increased stability and higher confidence that nuclear war can be avoided.

U.S. representatives worked vigorously for arms control in the Geneva Conference of the Committee on Disarmament (CCD), in the U.N. General Assembly, and the Strategic Arms Limitation Talks (SALT), as well as in the conduct of regular diplomatic relations. Tangible progress was made during 1970.

The Strategic Arms Limitation Talks (SALT) between the United States and the Soviet Union, held in Vienna and Helsinki, continued to explore the possibilities for verifiable agreement on the limitation and eventual reduction of strategic arms. The vital and sensitive nature and the technical complexities of this negotiation dictated a cautious pace, but both nations negotiated in a serious manner. A number of aspects were clarified in the exchange of views. In the communique issued at the conclusion of the Helsinki phase on December 18, 1970 both delegations "expressed their determination to pursue the negotiations with the aim of limiting strategic offensive and defensive armaments." They agreed to meet again in Vienna on March 15, 1971.³

The Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Seabed and the Ocean Floor and in the Subsoil Thereof was successfully negotiated at the CCD in Geneva, was overwhelmingly approved by the U.N. General Assembly,⁴ and was opened for signature by all nations in Washington, London, and Moscow (the three Depositary Governments) on February 11, 1971.

The CCD debated the question of controls for chemical and biological weapons. The U.S. delegation gave active support to the British draft Convention for the Prohibition of Biological Methods of Warfare,⁵ and submitted working papers on the verification problems involved in the prohibition of chemical warfare.⁶ The U.S. positions at the CCD were consistent with President Nixon's 1969 renunciation of biological methods of warfare, including toxins, and his promulgation of a "no-first-use" policy for lethal and incapacitating chemical agents.⁷

² *Documents on Disarmament, 1961*, pp. 482-483.

³ See *ante*, p. 701.

⁴ *Ante*, pp. 676-680.

⁵ *Ante*, pp. 428-432.

⁶ *Ante*, pp. 91-93, 323-326, 455-459.

⁷ See *Documents on Disarmament, 1969*, pp. 592-593.

In addition, the agenda of the CCD included a range of other arms control possibilities. Discussions continued toward a ban on all nuclear weapons tests, although the problem of verification remained the major obstacle. The question of conventional arms restrictions received attention. The U.S. Representative reaffirmed support for regional agreements and suggested additional guidelines for possible arrangements to place quantitative or qualitative limitations on the acquisition of conventional weapons.

The Treaty on the Nonproliferation of Nuclear Weapons (NPT)⁸ officially came into force on March 5, 1970, when the requisite number of signatories, plus the three Depositary Governments, had deposited their instruments of ratification.⁹ Action was begun to work out safeguards arrangements between the International Atomic Energy Agency (IAEA) and the parties to the NPT to insure that fissionable materials resulting from the production of nuclear energy for peaceful purposes are not diverted to the manufacture of nuclear weapons. Successful solution of the safeguards problem will create an important international safeguards and inspection regime.

The Treaty for the Prohibition of Nuclear Weapons in Latin America—known as the Treaty of Tlatelolco¹⁰—is the first successful attempt to create a nuclear free zone in a populated region of the world. Signatories to this treaty are limited to Latin American nations but the United States has signed Protocol II, which commits nuclear-weapon nations to respect the aims and provisions of the treaty, and not to contribute in any way to the performance of acts involving a violation of its terms.¹¹ Protocol II was sent to the United States Senate for its advice and consent to ratification in the summer of 1970.¹²

The North Atlantic Treaty Organization (NATO) again called on the Warsaw Pact to explore the possibilities for mutual and balanced¹³ force reductions in Central Europe. For the first time, the Warsaw Pact responded to this initiative and offered to discuss reductions of "foreign armed forces on the territories of European States."¹⁴

ACDA has conducted research in support of its operations and its conduct of international negotiations. This research has been carried out by internal staff analysis, drawing on the broad data base accumulated throughout the government, and supplemented by outside contractors.

The analyses ranged from the complex technology of strategic missile systems to political and social science factors bearing on arms control issues. An important field of inquiry has been the

⁸ *Ibid.*, 1968, pp. 461-465.

⁹ See *ante*, pp. 78-83.

¹⁰ *Documents on Disarmament*, 1967, pp. 69 ff.

¹¹ *Ibid.*, p. 83.

¹² See *ante*, pp. 318-322, 408-409.

¹³ *Ante*, pp. 229-230.

¹⁴ *Ante*, p. 247.

economic implication of defense expenditures world wide, including conventional arms transfers by supplier nations and the impact of reduced military spending on the American economy.

In addition to research studies, a program of field tests of arms control verification techniques is being carried out in those areas where standard analytical techniques are inadequate to yield the needed answers.

The following chapters describe the problems which have engaged the U.S. Arms Control and Disarmament Agency during 1970, the objectives which have been pursued, and the achievements which have been realized in fulfilling its mission to "promote the national security."

STRATEGIC ARMS LIMITATION TALKS

The Second Phase of the Strategic Arms Limitation Talks (SALT) began in Vienna on April 16, 1970. In his message to Ambassador Gerard C. Smith, Chairman of the U.S. Delegation, President Nixon said, "The effort to limit strategic armaments remains an integral part of our work for a lasting peace, a peace from which all peoples will benefit."¹⁵

These bilateral talks, which the President has called "one of the most momentous negotiations ever entrusted to an American delegation,"¹⁶ go to the heart of the security of both sides. The immediate objective is to contribute to the stability of the U.S.-Soviet strategic relationship through agreed limitations on strategic weapons. A more stable relationship would reduce the tensions and uncertainties which contribute to strategic arms competition and would reduce the risks that strategic nuclear war might occur.

The central question in strategic planning is what capabilities are needed for effective deterrence in often uncertain future circumstances. The administration has reaffirmed its determination "to deny other countries the ability to impose their will on the United States and its allies under the weight of strategic military superiority."¹⁷ The President has stated that sufficient strength will be maintained to meet this objective. But we have reached the stage where additional increments of security may be achievable through negotiations to limit strategic weapons.

The negotiations are complex, not only because of the strategic and technological aspects but also because of the political implications involved. To be useful, the exchange must be frank and free of polemics. The United States has done its best to abide by this arrangement. Fourteen months' experience has shown that the privacy of the SALT discussions has permitted a constructive exchange of views and positions. Both sides have refrained from

¹⁵ *Ante*, p. 162.

¹⁶ *Documents on Disarmament*, 1969, p. 535.

¹⁷ *Ante*, p. 22.

using the SALT negotiations to expound upon other aspects of U.S.-Soviet relations.

The United States entered the talks thoroughly prepared. A special NSC committee, designated the Verification Panel and under the chairmanship of Dr. Henry Kissinger, Assistant to the President for National Security Affairs, analyzes the verification aspects and strategic implications of possible limitations. The Director of ACDA; the Under Secretary of State; the Deputy Secretary of Defense; the Attorney General; the Director of CIA; and the Chairman, Joint Chiefs of Staff; serve as members. The panel initially focussed its attention on the United States capabilities to insure that an agreement would be adhered to. It surveyed U.S. intelligence assets to monitor the other side's compliance with commitments it might undertake.

In addition to the verification aspects, the analysis of each weapon system examines its importance in the overall strategic relationship. Strategic weapon systems are interrelated; their purposes impinge on each other. For example, an agreement limiting only ABM's without any constraints on those strategic offensive forces which threaten one's retaliatory capabilities could lead to increased tensions and continued strategic arms competition.

Once an approach to strategic arms limitation is developed on the basis of general strategic relationships, each element and the approach as a whole must be analyzed for its verifiability, its negotiability, and the degree to which it would advance U.S. security interests.

Both the United States and the Soviet Union have named senior officials to the respective delegations. The Chairman of the American delegation is Ambassador Gerard C. Smith, Director of ACDA. The Alternate Chairman is Ambassador Philip J. Farley, Deputy Director of ACDA. The Deputy Chairman is Ambassador J. Graham Parsons, former Assistant Secretary of State for East Asian Affairs and former Ambassador to Sweden. Senior Members are Ambassador Llewellyn E. Thompson, former Ambassador to the Soviet Union; Mr. Paul Nitze, currently Chairman of the Advisory Council, Johns Hopkins University School of Advanced International Studies, and former Deputy Secretary of Defense; Dr. Harold Brown, President of the California Institute of Technology, and former Secretary of the Air Force; and Lt. Gen. Royal B. Allison, USAF, Assistant to the Chairman, Joint Chiefs of Staff for Strategic Arms Negotiations. They are supported by a staff of advisers made up of high-level officials of Government agencies concerned with national security.

The Chairman of the Soviet delegation is Deputy Foreign Minister Vladimir Semenov. Members of the Soviet delegation are N. V. Ogarkov, Colonel-General, First Deputy Chief, General Staff, U.S.S.R. Armed Forces; P. S. Pleshakov, Deputy Minister of Radio Industry; A. N. Shchukin, Member of the Soviet Academy of Sciences; N. N. Alekseev, Colonel-General, Ministry of De-

fense; and O. A. Grinevsky, Deputy Chief of Department, U.S.S.R. Ministry of Foreign Affairs.

A Backstopping Committee, chaired by the Deputy Director of ACDA, Philip J. Farley, provides day-to-day support from Washington to the delegation in Vienna or Helsinki, operating within the framework of established policy guidance.

The first phase of the talks was held in Helsinki from November 17 to December 22, 1969. This phase was exploratory in nature and was of value in the development of the necessary mutual understanding of concepts and principles which have guided the substantive negotiations to date. The U.S. and Soviet delegations developed a work program which included specific items and provided that either side could introduce additional matters related to strategic arms.

The Vienna phase of SALT began with a systematic discussion of the approaches of the two sides to limitation of strategic arms. The exchange of views in Helsinki in 1969 had laid the groundwork for the presentation by both sides of approaches to an agreement limiting both offensive and defensive weapon systems. The Vienna phase recessed on August 14, 1970.

Phase III was held in Helsinki from November 2 to December 18. Both sides amplified the provisions discussed in earlier sessions and introduced new ideas into the discussions. The communique issued at the conclusion of the Helsinki phase by the U.S. and Soviet delegations reported:

In the continuing course of the negotiations a wide range of questions dealing with the problem of limiting strategic offensive and defensive armaments was considered. The exchange further clarified a number of aspects of the matters discussed. Both delegations expressed their determination to pursue the negotiations with the aim of limiting strategic offensive and defensive armaments.

Agreement was reached that negotiations . . . will be resumed on March 15, 1971, in Vienna, Austria.^{1 2}

ARMS CONTROL MEASURE FOR THE SEABED

The rapid advance of science and the major breakthroughs in space and marine technology since World War II have led to a growing awareness of the urgent need to reach agreement, through arms control negotiations, to prohibit weapons from areas where they have not yet been introduced.

Reflecting this preventive approach, a treaty to prohibit the spread of nuclear weapons to the seabed was opened for signature in Washington, Moscow, and London on February 11, 1971. The treaty will bar emplacement of weapons of mass destruction on nearly 70 per cent of the earth's surface.

Article I sets forth the principal obligation of the treaty. It prohibits parties from emplacing nuclear weapons or other weapons of mass destruction on the seabed and the ocean floor beyond a 12-mile coastal "seabed zone." Article II provides that

^{1 2} *Ante*, p. 701.

the "seabed zone" is to be measured in accordance with the provisions of the 1958 Convention on the Territorial Sea and the Contiguous Zone. To make clear that none of the treaty's provisions shall be interpreted as supporting or prejudicing the position of any party regarding law-of-the-sea issues, a broad disclaimer provision to this effect was included as Article IV.

The verification procedures are set forth in Article III. Parties may undertake verification using their own means, with the assistance of other parties, or through appropriate international procedures within the framework of the United Nations and in accordance with its Charter. These provisions permit parties to assure themselves that the treaty's obligations are being observed without interfering with legitimate seabed activities.¹⁹

The treaty was commended by the United Nations General Assembly on December 7, 1970 by a vote of 104 to 2, with 2 abstentions.²⁰ The draft of the treaty had been the subject of intensive negotiations over a period of 2 years.

The question of preventing an arms race on the seabed was included in the agenda adopted by the Geneva conference during the summer of 1968. Committee members pointed out during the preliminary discussions of this issue in 1969 that there was a clear need for timely action to prevent the spread of armaments to this new area which man was just beginning to explore and develop and which was of growing interest to the international community.

Both the United States and the Soviet Union presented concrete proposals to the CCD in the form of draft treaties during the spring 1969 session.²¹ These drafts differed principally in the scope of their prohibitions. The U.S. draft dealt specifically with the danger that the seabed might be used as an area for the emplacement of nuclear weapons. The United States believed that by prohibiting such deployment its draft would remove the major threat to the peaceful uses of the seabed, reduce the verification problem to manageable proportions, and be consistent with the security interests of coastal states. The Soviet Union, on the other hand, proposed a sweeping, but unverifiable, ban on all military uses of the seabed. By October 1969 the differences had been resolved, and the United States and the Soviet Union tabled a joint Draft Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Seabed and the Ocean Floor and the Subsoil Thereof.²²

During the discussions of the draft which followed, CCD members made a number of specific proposals for changes in the text. Many favored amendments in the verification provisions of the draft. Responding to these suggestions, the U.S. and Soviet

¹⁹ *Ante*, pp. 676-680.

²⁰ *Ante*, pp. 680-681.

²¹ *Documents on Disarmament, 1969*, pp. 112-113, 211-213.

²² *Ibid.*, 473-475.

Co-Chairmen put forth a revised joint draft on October 30, 1969.²³

This draft was carefully reviewed by the U.N. General Assembly in the autumn of 1969. The discussions in the First Committee permitted an evaluation of the progress achieved at Geneva in the light of comments by many countries that had not participated in the CCD negotiations. A number of specific proposals for further treaty amendments were developed at that time to meet the concerns of U.N. members, and the draft treaty was remanded to the CCD.

During the 1970 CCD sessions, the joint draft was twice revised by the Co-Chairmen to incorporate the amendments that had been developed in New York and many suggestions put forth by CCD members.²⁴ Particular care was taken to insure that the verification and other provisions of the treaty not prejudice the position of parties on complex, unresolved law-of-the-sea issues.

When tabling the final draft of the treaty, the U.S. Representative, Ambassador James F. Leonard, Assistant Director of ACDA for International Relations, commended the thoughtful and energetic contributions of all CCD delegations which had made the treaty both more effective and much more widely acceptable. In our view, he stated, the final draft "fairly protects, and substantially advances, the interest of all members of the international community."²⁵

The final draft of the treaty won broad approval at the twenty-fifth session of the U.N. General Assembly. On November 2 in his disarmament statement to the First Committee, Ambassador Charles W. Yost, U.S. Representative to the United Nations, said of the international effort behind the treaty:

The negotiation of this treaty seems to us an outstanding example of how an important multilateral instrument can be developed with the participation and the significant help of many countries. It constitutes an example that we hope will serve as a guide in the negotiation of other multilateral treaties of disarmament and arms limitation.²⁶

When it comes into effect, after ratification by at least 22 countries (including the 3 Depositary Governments), the Seabed Treaty will be an important addition to the growing framework of multilateral arms control agreements. As United Nations Secretary General U Thant noted when he addressed the CCD in February 1970:

The elaboration and submission to the General Assembly of an agreed draft Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-bed and the Ocean Floor and the Subsoil Thereof would constitute an important step in preventing the danger of the spread of the nuclear arms race to a vast area of our planet. Such a treaty would take its rightful and honoured

²³ *Ibid.*, pp. 507-509.

²⁴ For the revised draft treaties, see *ante*, pp. 185-188, 475-479.

²⁵ *Ante*, p. 489.

²⁶ *Ante*, p. 551.

place with the Antarctic Treaty,²⁷ the Outer Space Treaty,²⁸ the Treaty of Tlatelolco²⁹ and the Nonproliferation Treaty³⁰ in reducing the areas of the world and the surrounding environment which are subject to the nuclear threat.³¹

CHEMICAL AND BIOLOGICAL WEAPONS CONTROL

On November 25, 1969, in an action which won wide acclaim in the international community, President Nixon renounced the use of lethal or incapacitating biological agents and weapons and all other methods of biological warfare, even in retaliation. At the same time, the President reaffirmed the oft-repeated pledge that the United States would not be the first to use lethal chemical weapons, and he extended that no-first-use pledge to incapacitating chemicals.³²

On February 14, 1970, the President announced that toxins would be included in the total renunciation of the use of biological agents.³³ According to the World Health Organization, toxins are chemicals, they produce effects commonly described as disease, and are produced by facilities similar to those needed for the production of biological agents.

To implement this policy decision further, the President, on August 19, 1970,³⁴ resubmitted the Geneva Protocol of 1925³⁵ to the United States Senate for its advice and consent to ratification. This protocol had originally been drafted at the initiative of the United States at a 1925 conference on the export of arms and munitions. Although the protocol was signed by the United States and was favorably reported by the Senate Foreign Relations Committee, it was not voted upon by the full Senate and was sent back to Committee in 1926. There it remained until 1947 when it was returned to the Executive Branch as one of a group of treaties on which action had not been taken for many years.

Although the protocol came into force without U.S. adherence, the United States has always supported its principles and objectives. There are now over 90 parties to the Geneva Protocol, including all of the NATO countries, the Warsaw Pact nations, and Communist China. Japan acceded in May 1970.

Accompanying the President's transmittal message to the Senate was a report by the Secretary of State which pointed out that 39 nations (including France, the U.S.S.R., and the United Kingdom) have attached certain reservations to their adherence to the protocol. For the most part, these reservations made clear that the protocol will be considered binding only with respect to parties,

²⁷ *Documents on Disarmament, 1945-1959*, vol. II, pp. 1550-1556.

²⁸ *Ibid.*, 1967, pp. 38-43.

²⁹ *Ibid.*, pp. 69 ff.

³⁰ *Ibid.*, 1968, pp. 461-465.

³¹ CCD/PV.450, p. 8.

³² *Documents on Disarmament, 1969*, pp. 592-593.

³³ *Ante*, pp. 5-6.

³⁴ See *ante*, pp. 445-446.

³⁵ *Documents on Disarmament, 1969*, pp. 764-765.

and only if those other parties abide by its provisions. The Secretary's report proposes that the Senate give its advice and consent to ratification subject to the following, more limited, reservation:

That the said Protocol shall cease to be binding on the Government of the United States with respect to the use in war of asphyxiating, poisonous or other gases and to all analogous liquids, materials or devices, in regard to an enemy state if such state or any of its allies fails to respect the prohibition laid down in the Protocol.³⁶

The Senate has referred the Geneva Protocol to the Foreign Relations Committee, which is expected to hold hearings on this subject early in 1971.

In the United Nations General Assembly and at the Geneva Conference of the Committee on Disarmament, recent debate on the question of chemical and biological weapons has centered on the issue of what further arms control steps might be taken beyond the Geneva Protocol. The approach of the United States to these discussions has been based on the decisions announced by President Nixon in his November 25, 1969 statement. The United States has vigorously supported the draft convention for the prohibition of production and stockpiling of biological weapons formally proposed to the CCD by the United Kingdom in August 1969.³⁷ At the suggestion of the United States, this draft convention was amended in 1970 to extend its prohibition to toxins.³⁸

We believe it should be feasible to reach early agreement on a convention prohibiting biological weapons—the use of which could have massive, unpredictable, and potentially uncontrollable consequences. A number of states, however, maintain chemical warfare programs to deter the use against them of this type of weapon and to provide a retaliatory capability if deterrence fails. Many of these states would be reluctant to give up this capability without assurance that possible opponents had also given it up.

The key obstacle to progress on chemical weapons is the difficulty of verifying a possible agreement. During 1970 the United States pressed forward the study of this problem and submitted a number of working papers to the CCD on the verification question. Two of these dealt with the relationship between the production of chemical agents for war and the production of chemicals for peaceful purposes by commercial chemical industries.³⁹ Another working paper covered economic data monitoring as a possible means for verifying compliance with a ban on chemical weapons.⁴⁰ In addressing the CCD, Ambassador Leonard also cited working papers that have been submitted by Canada, Japan, Italy, Sweden, and other members. He drew

³⁶ *Ante*, pp. 400-402.

³⁷ *Documents on Disarmament*, 1969, pp. 431 ff.

³⁸ See *ante*, pp. 272-273, 276-277, 428-432.

Ante, pp. 91-93, 323-326.

⁴⁰ *Ante*, pp. 455-459.

encouragement from the fact that the Committee has made a beginning toward investigating technical problems which must be solved if progress toward a ban on chemical weapons is to be made.

Ambassador Leonard emphasized that the United States does not consider the prohibition of one of these two classes of weapons to be more important or more urgent than the other. "But one class," he said, "presents a relatively simple disarmament problem; the other presents a very complex task. One can be dealt with quickly; the other cannot. That simple truth, based on years of history and the unavoidable facts of contemporary life, lies at the heart of our attitude towards the control of chemical and biological weapons."⁴¹

ACDA's research program on problems of chemical and biological weapons verification is examining all stages, from development to destruction, of the chemical and biological weapons life cycle. The research is designed to identify activities associated with the development, production, transportation, storage, or destruction of chemical or biological munitions and weapons so as to determine requirements for verification of compliance with limitations on these weapons. By close technical observation of the U.S. Army's destruction program for chemical and biological weapons, verification requirements and capabilities for this portion of the cycle will be examined during the coming months.

At both the spring and summer 1970 sessions of the CCD, the Soviet Union favored a joint prohibition on *both* types of weapons in a single treaty, which would depend on national self-policing for verification. A draft convention calling for the prohibition of the development, production, and stockpiling of chemical and bacteriological (biological) weapons and on the destruction of such weapons had been submitted to the U.N. General Assembly in 1969 by the U.S.S.R. and other Communist members.⁴²

Toward the conclusion of the summer 1970 session of the CCD, the non-aligned members of the Committee submitted a memorandum setting forth their views on the question of chemical and biological weapons and expressing the hope that an early solution could be found in regard to the prohibition of the production, development, and stockpiling of such weapons and their effective elimination from the arsenals of all nations.⁴³

Discussion of these issues continued at the twenty-fifth session of the U.N. General Assembly in the fall of 1970. In general, the NATO countries continued to support the approach of the United Kingdom draft convention, and the Soviet Union and its allies continued to support the proposal that the U.S.S.R. had presented the previous year. The General Assembly adopted a resolution

⁴¹ Ante, p. 468.

⁴² *Documents on Disarmament, 1969*, pp. 507-509.

⁴³ Ante, pp. 453-455.

requesting the Geneva conference to give further urgent consideration to this subject in 1971.⁴⁴

NONPROLIFERATION TREATY

*President Nixon officially declared the Nuclear Nonproliferation Treaty*⁴⁵ in force in a ceremony in the Department of State on March 5, 1970. The terms of the treaty provided that it should come into force when the 3 Depositary Governments—the United States, the United Kingdom, and the U.S.S.R.—and 40 other nations had deposited instruments of ratification. The United Kingdom deposited its instrument on November 27, 1968. The United States, the Soviet Union, the United Kingdom, and many other nations participated in the ceremony on March 5, at which the total number of depositaries became 47, thus bringing the treaty into force.

On that occasion, the President said, "... I only hope that those of us who were fortunate enough to be present will look back one day and see that this was the first milestone on a road which led to reducing the danger of nuclear war and on a road which led to lasting peace among nations."

In recognition of the value of the Nonproliferation Treaty as a step toward the hoped-for agreement on strategic arms limitations, the President referred to the forthcoming opening of the second phase of SALT and continued, "The next milestone we trust will be the limitation of nuclear weapons."⁴⁶

The treaty was negotiated in the Geneva Disarmament Conference and in the U.N. General Assembly over a period of 4 years. It was signed by President Johnson and the representatives of 55 other nations on July 1, 1968. The U.S. Senate gave its consent to ratification on March 13, 1969, and President Nixon signed the instrument of ratification on November 24 of that year. The final deposit ceremony, which underlined the historic nature of the cooperative effort, was the culminating step in bringing the treaty into force.

One of the most important tasks in implementing the treaty is to conclude timely and effective arrangements for safeguarding fissionable materials to insure that they are not diverted from peaceful uses to weapons production. Under Article III each non-nuclear-weapon state party to the treaty undertakes to accept safeguards on the fissionable materials in all its peaceful nuclear activities. These safeguards are to be set forth in agreements to be negotiated and concluded with the International Atomic Energy Agency (IAEA) in accordance with the Statute of the IAEA by nations individually or in concert with other nations.

Article III stipulated that negotiations for the agreements

⁴⁴ *Amic*, pp. 683-685.

⁴⁵ *Documents on Disarmament*, 1968, pp. 461-465.

⁴⁶ *Amic*, pp. 78-80.

should begin in 180 days from date of entry into force of the treaty. The Board of Governors of the IAEA moved quickly to establish a Safeguards Committee to advise the board on the agreements to be negotiated and to discuss the problem of safeguards financing.

The Committee began its work on June 12, 1970, having been provided with reports of several groups of consultants and a detailed memorandum by the IAEA Secretariat, reflecting many months of work, together with comments received from interested countries which suggested provisions that an NPT safeguards agreement should contain.

Membership in the Safeguards Committee was open to all 103 members of the IAEA. Forty-seven states actually participated, including nearly all states represented on the Board of Governors of the IAEA, all members of that Agency which are nuclear-weapon states, all of the world's nuclear industrial states, all members of EURATOM except Luxemburg (which has no atomic energy program), and a number of developing countries. The participants were not limited to parties to the NPT, but included some states which were only signatories thereto, and others which were nonsignatories.

The Deputy General Counsel of ACDA was a member of the U.S. delegation and spokesman for the United States on several of the legal questions that arose. Other Agency officers participated in international panels and working groups whose work was made available to the Committee.

At the close of its first session, the Committee reported on the proposed contents of Part I of NPT safeguards agreements, which set forth the basic rights, duties, and obligations of the parties. A section relating to financing the costs of the safeguards was deferred for further consideration beginning on January 26, 1971. Work on the definitions in Part I, including the exact scope of "peaceful nuclear activities" subject to safeguards, was also deferred until January.

At its September meeting, the Board of Governors of the IAEA approved the initial report of the Safeguards Committee as a basis for commencing negotiations with parties to the NPT.

The second and third sessions of the Committee, held from October 15 to November 6 and from December 1 to December 11, concentrated on discussion of Part II of the safeguards agreements, designed to set forth detailed provisions with respect to the examination of nuclear facility design information, records and reports, special provisions with respect to international transfers of nuclear materials, the designation of inspectors, the frequency and intensity of routine inspections of various classes of installations, and the access to be accorded to inspectors. It is expected that a second report covering Part II will be made to the February meeting of the Board of Governors.

Considering the wide disparity of interests represented in the Safeguards Committee and the immense complexity of the task of defining safeguards requirements suitable for application to states in all parts of the world, the progress to date in reaching a broad consensus on this subject is a source of considerable satisfaction.

In the interest of minimizing the intrusiveness of inspections, however, as well as minimizing costs, there is an urgent need for improved safeguards instrumentation. ACDA research on the safeguards problem has been focussed on this objective, and has made some highly promising contributions to it.

The selection of safeguards research projects and the assignments of research priorities by ACDA have been based on a continuing series of technical discussions with the IAEA safeguards staff, and all selected projects have received their full support. In addition, several of these studies have also involved the participation of the Atomic Energy Control Board of Canada; the Institute of Applied Reactor Physics, Karlsruhe, Germany; and the EURATOM Safeguards Laboratories at Mol, Belgium, and Ispra, Italy.

All ACDA safeguards research projects are coordinated with the AEC Office of Safeguards and Material Management (OSMM), and the ACDA program has been discussed with and commended by the AEC Advisory Committee on Nuclear Materials Safeguards. The complementary ACDA and AEC programs are expected to yield results which will have applications for both international and domestic purposes. In addition, several of the ACDA safeguards projects should be useful in the verification of arms control agreements involving both nuclear and conventional weapons. The ACDA safeguards program is divided into four categories:

1. The development of portable instrumentation for the field assay of uranium and plutonium.

Plutonium is a by-product of the fission process which takes place in most nuclear reactors, and it can be used as the key element in the production of nuclear weapons. The detection of a clandestine diversion of plutonium to weapons purposes, therefore, is one of the basic reasons a safeguards system is needed.

Beginning in 1967, ACDA developed under a contract with the Naval Research Laboratory an instrument for the detection of plutonium, based on the simultaneous emission of at least two neutrons during the spontaneous fission of the element Pu 240. This technique is called coincidence neutron counting. The original neutron coincidence circuits have undergone continuous improvements and a second generation portable coincidence neutron counter, assembled under ACDA contract, was loaned to the IAEA in August of 1970. A completely portable combined neutron coincidence counter-multi-channel analyzer will shortly

be loaned to the IAEA for test and evaluation. This new technique has found several important applications by the U.S. Atomic Energy Commission and by the United Kingdom for its domestic safeguards program.

2. The development of tamper-resistant, unattended safeguards instrumentation to monitor the flow of nuclear materials in reactors and other nuclear facilities and to monitor their operations.

ACDA has concluded an agreement with the Canadian Government to design, build, install, and test on the Nuclear Power Demonstration Reactor (NPD) at Rolphton, Canada, an unattended tamper-resistant instrumentation system. The NPD Reactor is an on-power refueled reactor and presents a number of challenging safeguards problems. The program has been jointly funded by ACDA and the Atomic Energy Control Board of Canada (AECB). It is directed by a Joint Working Group with members drawn from the Sandia Corporation, the prime contractor; the U.S. Atomic Energy Commission; Atomic Energy of Canada Limited; and the U.S. National Bureau of Standards, as well as ACDA, and AECB. The IAEA participates as an observer.

3. The development of unique seals and identification devices for use by IAEA inspectors in the field.

As the IAEA has expanded the use of sealing devices, it has found that none of the seals commercially available fully meets its special requirements. Not only should a safeguards seal be very secure because of the great strategic and monetary value of the uranium and plutonium involved but also it should be possible to check repeatedly the integrity of the sealing device after installation without damaging the seal. These requirements have been met by the use of a glass fiber bundle for the safing wire and stressed glass for the one-time-use clasp. The Corning Glass Works was requested by ACDA to develop this sealing system, and work under the contract is now underway.

A member of ACDA's Science and Technology Bureau delivered a paper on this project in July 1970 at the Symposium on Progress in Safeguards Techniques, organized by the IAEA and held in Karlsruhe, Federal Republic of Germany.

4. The development of advanced minimally intrusive safeguards techniques for independent verification by the IAEA of the records and reports of reactor operators, chemical reprocessing plants and other nuclear facilities using industry-generated isotopic data.

A potential safeguards technique which is minimally intrusive and yet offers a variety of independent methods of verification is based on the diagnostic information that is contained in the

isotopic composition of the uranium and plutonium that is under safeguards. This collection of isotopic safeguards techniques is called MIST (Minor Isotope Safeguards Techniques). The preliminary studies suggest that these techniques provide useful independent information on the operation of reactors and chemical reprocessing plants. Efforts are now underway to extend these techniques to some of the safeguards problems encountered in fuel fabrication facilities and to safeguarding isotope separation facilities in as unintrusive a way as possible.

TRANSFERS OF CONVENTIONAL ARMS

The Nuclear Nonproliferation Treaty represents a major step forward in meeting the dangers posed by the spread of weapons of mass destruction. At the same time the United States has been conscious of the need to explore the possibility of limitations on the international traffic in conventional weapons. These arms transfers are valued at billions of dollars annually. At least half of these exports go to the developing areas of the world. As events in the Middle East attest, the transfer of conventional arms, particularly of an advanced type, may exacerbate regional arms races and can contribute to the outbreak or escalation of conflicts which threaten to involve the great powers. Furthermore, the procurement of arms by developing countries may represent a diversion of resources badly needed for social and economic development.

The U.S. Arms Control and Disarmament Agency has been increasingly concerned with the problem of worldwide traffic in conventional arms. During the past year ACDA staff working in this area of arms control was increased, and responsibility was centralized in an Arms Transfer Division in ACDA's Bureau of Economic Affairs. The Agency's activities in this field fall into two broad categories. First, ACDA seeks to insure that arms control considerations are fully taken into account in the formulation and implementation of U.S. arms supply policy; and secondly, the Agency is attempting to develop possible international arrangements to control the arms flow.

The Agency's participation in the U.S. arms-transfer decision-making process encompasses transfers which take place on a grant, credit, or cash sale basis. Such transfers are made within the framework of U.S. security and foreign policy objectives. The Agency's viewpoint toward a particular transfer is based on an assessment of the degree to which it may (1) stimulate a regional arms race, (2) contribute to the outbreak or intensification of hostilities, or (3) constitute an unnecessary diversion by the recipient country of resources needed for economic and social development.

ACDA is a participant in a variety of interagency forums dealing with U.S. arms transfer policy formulation. These include the weekly meeting of politico-military officers from the State

Department's regional bureaus and consultations on implementing the restrictions on arms transfers included in foreign assistance legislation. ACDA's participation in the National Security Council, and its subordinate bodies, i.e., the Under Secretaries Committee, the interdepartmental groups, and ad hoc working committees, affords the agency an opportunity to set forth arms control concerns in the policy decision process involved in arms sales and military assistance.

ACDA's participation thus insures a comprehensive review of all the factors involved in U.S. arms transfer decisions. But the Agency believes that international arrangements, if they can be worked out, would be the most effective means of restraining the arms traffic. The Agency accordingly seeks to promote new ideas for international arrangements for consideration within the U.S. Government and for possible international negotiation. Particular attention is being given to possible arms supplies agreements, regional arms limitation and arms registration and publication proposals.

Limitation on arms deliveries by supplier states have so far been unilateral in nature, although in some cases undertaken pursuant to a U.N. resolution. The United States has sought agreement with the Soviet Union to curtail arms shipments to the Middle East prior to and since the 1967 hostilities. However, these efforts have thus far been to no avail. Following the outbreak of fighting between India and Pakistan in 1965, the United States and the United Kingdom declared immediate embargoes on arms shipments to the belligerents. These embargoes probably helped influence the two countries to accept a truce. The United States also embargoed arms shipments to belligerents in the Nigerian civil war and the recent Honduras-El Salvador conflict.

President Nixon emphasized the urgent need for agreements among supplier states when he listed Limiting the Flow of Weapons to Regions in Conflict as second only to Strategic Arms Limitations in "Issues for the Future" in his February 18 report to the Congress on *U.S. Foreign Policy for the 1970's—A New Strategy for Peace*. In this major presentation of new approaches to the challenges and opportunities of the coming decade, the President said:

When peace is in everyone's interest, we must find a way to control conflict everywhere. We must not be drawn into conflicts by local rivalries. The great powers should try to damp down rather than fan local passions by showing restraint in their sale of arms to regions in conflict. We stand ready to discuss practical arrangements to this end.⁴⁷

There are conceivable situations in which the objectives of all major suppliers would be served by restraint, and the Agency is analyzing current arms exports to determine the potential for mutually agreed restraints.

It is recognized that the responsibility to work toward conventional arms control measures must be assumed both by

⁴⁷ *Ante*, p. 32

arms suppliers and by arms recipients. Therefore, ACDA is also devoting increased attention to possible regional arms control arrangements. Under such arrangements the countries in a particular region or subregion might agree to place quantitative or qualitative limitations on their acquisitions. In February 1970, in addressing the CCD, the Director of ACDA emphasized the importance of such arrangements:

It is my government's position to encourage arrangements for regional arms limitations or other steps that could reduce competition among nations for costly weapons often sought for illusory prestige. The United States remains ready to work with countries interested in pursuing this path to arms limitation and would be ready as an arms supplier to cooperate in the implementation of agreements reached among the parties concerned.⁴⁸

MUTUAL AND BALANCED FORCE REDUCTIONS

Meeting in Rome in May 1970, the Ministers of the North Atlantic Council again issued a call to the Warsaw Pact nations for exploratory talks on the possibility of mutual and balanced force reductions in Central Europe (MBFR). The Ministers requested the Foreign Minister of Italy to transmit the special declaration on MBFR resulting from the May meeting through diplomatic channels to all other interested governments. They further agreed that the NATO governments would seek the reactions of other governments to "initiation of the comprehensive program of exploration and negotiation," which they envisaged as a logical step toward the goal of European security and cooperation.⁴⁹

The members of the North Atlantic Alliance emphasized their interest in arms control measures which could lead to a gradual reduction of the military confrontation in Europe in the "Harmel Report" issued at the Ministerial meeting in December 1967.⁵⁰ In the intervening years, the NATO nations have conducted intensive studies on mutual and balanced force reductions. These studies have produced detailed guidelines and several hypothetical models that illustrate the kinds of problems which would arise in a consideration of balanced East-West force reductions. In support of these studies, ACDA has conducted and is continuing a series of research projects dealing with the impact of limitation or reduction of both conventional forces and tactical nuclear weapons and with the verification of possible agreements.

The NATO Senior Political Committee and experts from NATO capitals prepared a report for Ministers in 1969 based on these studies. The report clarified some of the complex issues involved to the point that the NATO Ministers announced at the December 1969 meeting that the research had progressed sufficiently to permit the establishment of basic criteria for reductions.⁵¹

⁴⁸ *Ante*, pp. 12-13.

⁴⁹ *Ante*, pp. 225-230.

⁵⁰ See *Documents on Disarmament*, 1967, pp. 679-681.

⁵¹ *Ibid.*, 1969, pp. 623-628.

Following the Rome Ministerial meeting, and for the first time, the Warsaw Pact responded publicly to the NATO initiative. The response took place when the Foreign Ministers of the Warsaw Pact met in Budapest in June 1970. This meeting produced a communique calling for intensification of preparations for an all-European conference which would explicitly include the United States and Canada. It recommended the "establishment by the all-European conference of an organ to deal with questions of security and cooperation in Europe." The Warsaw Pact Foreign Ministers proclaimed their belief that "the interest of reducing tensions and bringing about security in Europe would be promoted by a discussion of the question concerning the reduction of foreign armed forces on the territories of European States." They suggested that such discussion take place in the organ to be established by the Conference on European Security "or in any other manner acceptable to interested States."⁵²

The NATO nations were also considering NATO strategy and force structure for the coming decade. A major study, designated "Alliance Defense, 1970" (AD-70), was undertaken and it concluded that "the position of the Alliance and its member countries during this period of exploration and negotiation, with special reference to the European security and mutual force reductions, would be weakened if NATO were to reduce its force unilaterally," and that "NATO member states must, therefore, maintain a sufficient level of conventional and nuclear strength for defense as well as for deterrence, thus furnishing a sound basis from which to negotiate and underlining that negotiation is the only sensible road open."⁵³

During his tour of European countries in late September and early October, President Nixon reaffirmed U.S. responsibilities to NATO and declared . . . "the United States will, under no circumstances, reduce, unilaterally, its commitment to NATO. Any reduction in NATO forces, if it occurs, will only take place on a multilateral basis, and on the basis of what those who are lined up against the NATO forces might do. In other words, it would have to be on a mutual basis."⁵⁴

The December Ministerial meeting was held in Brussels. In his message to the opening session, President Nixon reaffirmed that the United States will not reduce its forces in Europe unless there is reciprocal action from the Warsaw Pact.⁵⁵

The communique issued by the NATO ministers at the conclusion of the December meeting set forth their views of the international situation as it had developed since their previous meeting in Rome in the following terms:

Ministers noted that the initiatives which had been taken by allied governments had already achieved certain results which constituted some progress in important fields of

⁵² *Ante*, pp. 244-245.

⁵³ *Ante*, p. 674.

⁵⁴ *Department of State Bulletin*, Nov. 2, 1970, p. 529.

⁵⁵ *Weekly Compilation of Presidential Documents*, Dec. 7, 1970, pp. 1620-1621.

East-West relations. Nevertheless their hope had been that more substantial progress would have been recorded in bilateral exploratory contacts and in the on-going negotiations, so that active consideration could have been given to the institution of broad multilateral contacts which would deal with substantial problems of security and cooperation in Europe. They affirmed the readiness of their governments, as soon as the talks on Berlin have reached a satisfactory conclusion and in so far as the other on-going talks are proceeding favorably to enter into multilateral contacts with all interested governments to explore when it would be possible to convene a conference, or a series of conferences, on security and cooperation in Europe.

Ministers noted that alliance studies on the various aspects of the mutual and balanced force reductions question have further progressed since the Rome meeting and instructed the council in permanent session to pursue studies in this field.

Ministers representing countries participating in NATO's integrated defense program re-emphasised the importance they attach to mutual and balanced force reductions as a means of reducing tensions and lessening the military confrontation in Europe and recalled the declarations on this question issued in Reykjavik in 1968⁵⁶ and at Rome earlier this year.⁵⁷ They noted that the Warsaw Pact countries have not directly responded to these declarations but have mentioned the possibility of a discussion at some future time of the question of reducing foreign armed forces on the territory of European states.⁵⁸

IMPACT OF REDUCED DEFENSE EXPENDITURES ON THE AMERICAN ECONOMY

The economics of arms control and disarmament is referred to prominently in the statement of purpose of the act establishing ACDA. That section of the act specifies that the Agency must be in a position to assess the effect of arms control and disarmament "upon our foreign policies, our national security policies, and our economy." The act authorizes research on defense expenditures, and on the economic impact of arms control and disarmament, including the problems of readjustment and the reallocation of national resources.⁵⁹

Bilateral negotiations with the Soviet Union on the limitation of strategic arms, the reduction of military activity in Indochina, and the dialogue between the NATO Nations and the Warsaw Pact on mutual and balanced force reductions for Central Europe have heightened interest in the problems and opportunities in economic adjustments to reductions in defense spending.

While the Arms Control and Disarmament Act does not confer on the Agency operational authority in the economic conversion area, the Agency's research on this subject can be of value to those having operational responsibilities. To this end, ACDA makes this research available to the interested agencies of the government and to the general public for use in conversion work, since the economic impact may be the same whether defense reductions result from arms control or other causes.

The experience of World War I has suggested to many that the apparent correlation between rising defense spending and falling

⁵⁶ *Documents on Disarmament*, 1968, pp. 447 ff.

⁵⁷ *Ante*, pp. 225-230.

⁵⁸ *Ante*, pp. 244-245.

⁵⁹ *Documents on Disarmament*, 1961, pp. 483, 486.

unemployment rates represented a cause and effect relationship. The corollary belief that sharp reductions in defense spending would lead to serious depression seems to be less widely held than it used to be, but it still recurs. Most economists, however, maintain that increased government spending for civilian purposes or increased private-sector spending would be just as effective as military spending in reducing unemployment. This general conclusion has been supported by a number of important studies on the subject, both national and international.

The Arms Control and Disarmament Agency has sponsored a major research project to obtain a factual and impartial analysis of the implications of reduced defense expenditures. Such information is essential to a full assessment of the effects of possible arms control measures. Under a contract with the University of Colorado, the study undertook "a comprehensive review of the problems of adjustment of the American economy to reductions in defense spending with a view to developing an organized framework for planning for such problems."

Conducted over a period of 2 years by a team of prominent economists and other social scientists from 11 different institutions of higher learning, the study projects the impact of various assumed levels of military spending on national, regional, state, and local levels, as well as their impact on industries and individuals. It includes an analysis of the effects of three different levels of military expenditures on each of the 50 States and the District of Columbia, and on 219 major metropolitan areas.

The findings include the following:

- A strong affirmation that the U.S. prosperity is not dependent on military spending.

- Military spending is not unique. The same effects can be generated by alternative government spending programs or by private spending.

- In the process of moving from higher to lower levels of defense expenditures, there would be transitional difficulties for some individuals, communities, and industries and a temporary increment to the unemployment rate. It is anticipated that this problem could be eased by advance planning and remedial action by local, state, and national agencies.

In addition to this comprehensive study, the Agency began in late 1970 a review of the more than two dozen economic impact research studies done since ACDA was established in 1961. These studies have dealt with a broad spectrum of subjects bearing on the effects of reduced defense expenditures on the U.S. economy, on specific industries, on localities, and on workers. The review consists of an examination of the conclusions and recommendations of the studies to extract those still relevant and pertinent.

AGENCY OPERATIONS

Organization

*The Arms Control and Disarmament Act assigns to the U.S. Arms Control and Disarmament Agency the primary responsibility within the U.S. Government for searching out ways to enhance national security through arms control. The act provides that the Agency "must have such a position within the Government that it can provide the President, the Secretary of State, other officials of the executive branch, and the Congress with recommendations concerning United States arms control and disarmament policy, and can assess the effect of these recommendations upon our foreign policies, our national security policies, and our economy."*⁶⁰

The Director of ACDA participates in all meetings of the National Security Council at which matters within the scope of the mission of the Agency are considered.

To carry out its functions and responsibilities, ACDA has an organizational structure which, in addition to the offices of the Director and Deputy Director, includes four bureaus, each headed by an Assistant Director. These are the International Relations Bureau, the Science and Technology Bureau, Weapons Evaluation and Control Bureau, and Economics Bureau. Supporting the Director, Deputy Director, and the four bureaus are the Office of the General Counsel, the Public Affairs Adviser, and the Executive Director. The ACDA staff is comparatively small—slightly more than 200—and is drawn from a variety of disciplines—political, military, scientific, legal, and economic.

The work of the Agency falls primarily into four categories: formulation and coordination of arms control and disarmament policy, preparation for and management of international negotiations on arms control measures, research into problems related to arms control and disarmament, and preparation for and conduct of arms control inspections.

Formulation and Coordination of Arms Control Policy

Every major new proposal which the United States makes in international negotiations must first receive the President's approval.

One of President Nixon's first acts upon taking office was to direct that the National Security Council (originally constituted in 1947) be the principal forum for consideration of policy issues requiring Presidential determination. The nature of the issues considered by the Council, in its revitalized role, range from current crises and immediate operational problems to middle- and long-range planning. The Director of ACDA makes policy recommendations to the President both directly and through his participation in relevant meetings of the National Security Council. The Director's role in NSC deliberations is in keeping

⁶⁰ *Ibid.*, p. 483.

with the underlying principle contained in the Agency's enactment by which "Arms control and disarmament policy, being an important aspect of foreign policy, must be consistent with national security policy as a whole."⁶¹

Representatives of the Agency participate, when arms control and disarmament or related matters are being considered, in the Under-Secretaries Committee, the National Security Council Senior Review Group, the Defense Program Review Committee, and the various interdepartmental, regional, and functional groups established under the National Security Council to study specific national policy problems and to plan and carry out programs.

ACDA staff members maintain day-to-day contact with personnel of concerned departments and agencies in the development of ideas, the preparation of position papers, and the dispatch of policy guidance to the negotiators at the conference table.

Preparation for and Conduct of International Negotiations

In addition to being the principal adviser on arms control and disarmament to the President and Secretary of State, ACDA's Director is also the chief U.S. negotiator in the field of arms control. He is the chairman of the U.S. Delegation to the Strategic Arms Limitation Talks (SALT). These bilateral discussions between the United States and the Soviet Union were held during 1970 in Vienna (April 16 to August 14) and in Helsinki (November 2 to December 18). An arrangement to alternate the site between Helsinki and Vienna was agreed to in 1969. In addition to the Director, the U.S. delegation is made up of five principals and a staff of advisers. A Backstopping Committee in Washington, chaired by the Deputy Director of ACDA, provided day-to-day support to the delegation in Vienna and Helsinki.

ACDA's Assistant Director for International Relations led the U.S. delegation to the Conference of the Committee on Disarmament (CCD) in Geneva. Other staff members of ACDA were assigned to the delegation as advisers.

The Committee, which meets at the Palais des Nations in Geneva, will enter its tenth year on February 23, 1971. It was established under a joint U.S.-U.S.S.R. agreement,⁶² and its establishment was welcomed by a resolution of the U.N. General Assembly.⁶³ While it is not a U.N. body, it reports to the General Assembly and the Disarmament Commission and is serviced by the U.N. Secretariat. Its 26-nation membership is made up of 6 NATO countries—Canada, France, Italy, the Netherlands, the United Kingdom, and the United States (France has never taken her seat at the conference table)—and Japan; 6 from the Warsaw Pact—Bulgaria, Czechoslovakia, Hungary, Poland, Romania, and the U.S.S.R.—and Mongolia; and 12 other nations—Argentina, Brazil,

⁶¹ *Ibid.*, p. 482.

⁶² *See ibid.*, 1961, pp. 722-728.

⁶³ *Ibid.*, 741-742.

Burma, Ethiopia, India, Mexico, Morocco, Nigeria, Pakistan, Sweden, the United Arab Republic, and Yugoslavia.

During 1970 the CCD negotiated a treaty banning weapons of mass destruction from the seabed⁶⁴ and pursued efforts to negotiate international control over chemical and biological methods of warfare. In addition, other arms control topics on the agenda included a comprehensive ban on nuclear-weapon tests and limitations on conventional arms. The Committee met in two sessions in 1970, from February 17 to April 30 and from June 16 to September 3.

The Assistant Director for International Relations also served as a member of the U.S. Delegation to the Twenty-fifth Session of the U.N. General Assembly, which met from September 15 to December 17. In addition to approving the treaty banning weapons of mass destruction from the seabed,⁶⁵ which had been submitted by the CCD, the General Assembly adopted a number of resolutions relating to arms control.

Planning, Coordination and Conduct of Research

The act establishing ACDA authorizes and requires the Director "to ensure the acquisition of a fund of theoretical and practical knowledge concerning disarmament."⁶⁶ In carrying out this requirement, the Agency has contracted with universities, research institutions, industries, and other governmental agencies to obtain technical competence and expertise not available within the Agency. At the same time, it has carried on a significant amount of in-house research.

A substantial basic fund of knowledge has now been acquired. It has been the Agency's aim during 1970, therefore, to conduct research which would keep the data current and which would be directly applicable to the Agency's operational, policy, and negotiating responsibilities. Since billions of dollars annually are going into further development of weapons technology, continuing research is needed to relate this changing technology to arms control theory and practice.

ACDA is responsible for interagency coordination to prevent undesirable duplication, to keep abreast of relevant research of other agencies, and to provide an impetus to other agencies to include arms control considerations within their research efforts when appropriate. In addition to drawing on research of other government agencies, ACDA utilizes consultants whenever practicable in lieu of external contractual arrangements as a means of obtaining necessary competence and expertise and of tapping the intellectual resources of the academic and scientific communities.

The basic responsibility for identifying and formulating arms control research requirements, for coordination within ACDA and

⁶⁴ *Act*, pp. 475-479, 675-680.

⁶⁵ *Act*, pp. 680-681.

⁶⁶ *Documents on Disarmament, 1961*, p. 485.

with other agencies, and for monitoring approved projects rests with the Agency's Assistant Directors.

A Research Policy Committee, under the chairmanship of the Director (or, in his absence, the Deputy Director), and including the Deputy Director, the Assistant Directors, the General Counsel, the Executive Director and the Special Assistant to the Director, provides overall guidance for the Agency's research program. This committee reviews the adequacy of ACDA research policies, procedures, and programs in the light of U.S. national security policies and goals.

Preparation for and Conduct of Arms Control Inspections

The Agency is authorized to make plans and preparations for the establishment and operation of inspection and control systems which may become part of the U.S. arms control activities. Two arms control treaties now contain provisions for on-site inspection—the Outer Space Treaty⁶⁷ and the Antarctic Treaty.⁶⁸ While the former has yet to be exercised, on-site inspections of research stations and facilities in Antarctica have been a routine part of U.S. Antarctic policy. The Agency organized and carried out these inspections in 1964 and 1967.⁶⁹

At the request of the Antarctic Policy Group in July 1970, the Agency began planning for a 1971 Antarctic inspection. Plans have been completed, and a team of American observers will carry out inspections of coastal stations during February and March of 1971.

Public Information

The Arms Control and Disarmament Act gives the Agency responsibility for "the dissemination and coordination of information concerning arms control and disarmament."⁷⁰

Daily liaison with the press is maintained by the Office of Public Affairs by responding to queries and visits from representatives of the domestic and foreign press media. The office also prepares press guides as required for use by the White House, the Secretary of State, and the Director of ACDA. In addition, it regularly provides guidance to the Department of State spokesman for use at noon briefings.

Either the Public Affairs Adviser or a senior member of his staff is a member of the U.S. delegations to major international arms control and disarmament conferences. During 1970 the office provided delegation spokesmen at the Geneva disarmament conference and at the U.N. General Assembly; and the Public Affairs Adviser served as U.S. delegation spokesman for the Strategic Arms Limitation Talks held in Vienna and Helsinki.

⁶⁷ *Ibid.*, 1967, pp. 38-43.

⁶⁸ *Ibid.*, 1945-1959, vol. II, pp. 1550-1556.

⁶⁹ See *ibid.*, 1964, pp. 195-203; *ibid.*, 1967, pp. 283-290.

⁷⁰ *Ibid.*, 1961, p. 483.

The Agency, upon request, arranges for its officers to address schools, organizations, and public meetings. It requests that travel costs be defrayed by the host organization, although cooperative arrangements can sometimes be worked out with other groups in the same area. The Agency regards speaking engagements as an opportunity to learn as well as to teach; ACDA officers report back to their colleagues on interesting ideas and suggestions developed in the course of question periods and discussions.

ACDA publications circulated during 1970 included the *9th Annual Report* which surveys the Agency's activities and summarizes disarmament developments for the previous calendar year⁷¹; *Documents on Disarmament, 1969* (one of a series which annually reprints significant statements, proposals, and documents of U.S. and foreign origin), *World Military Expenditures*, a statistical summary; the Quarterly Bibliography, produced under contract for ACDA by the Library of Congress, which summarizes recent articles and books; and *Arms Control and National Security*, a "primer" on contemporary disarmament concepts and issues. These items may be obtained by writing to the Agency, although supplies are limited. They are sold by the U.S. Government Printing Office. All pamphlets and unclassified research reports are available to readers at the 116 depository libraries listed in Appendix V of this report.⁷² These publications and unclassified research reports are increasingly finding use in college classrooms and study programs.

The emergence of arms control as a major factor on the diplomatic scene is also reflected in college and university curricula. An ACDA questionnaire, sent to about 2,400 institutions of higher learning, produced information on courses dealing with arms control and disarmament in colleges and universities throughout the country. Such courses are given in a wide variety of departments, including political science, physics, theology, ethics, psychology, national security studies, international relations, international law, and military science. In addition, disarmament is given attention in special interdisciplinary seminars, conferences, and study programs. The survey found that the number of textbooks on arms control is also increasing. It has also been noted that general textbooks in international relations or diplomatic history have in recent times given more thorough treatment to arms control negotiations and agreements. Intensified diplomatic activity in this field during the last decade is reflected in more detailed and more analytic approaches in most textbooks and encyclopedias.

Educational institutions have reported notable success in enrollments for arms control courses, adding that these courses have served to motivate students toward further work in interna-

⁷¹ *Ibid.*, 1969, pp. 733-764.

⁷² Not printed here.

tional relations study, and also to channel the ardent irenical aspirations of students into constructive work. This success, together with the increased availability of competent instructors in the field, foretells a probable increase in academic activity in this field in the years ahead.

Members of the Agency staff have been available for consultation with teachers preparing curricula, to authors and publishers, producers of other teaching materials, and conference planners. In addition, Agency publications, including its annual reports, are used for classroom assignments.

Social Science Advisory Board

The Social Science Advisory Board,⁷³ established by the Director in March 1964, enables ACDA to draw on the expertise of a panel of distinguished scholars for advice on the social science aspects of the Agency's programs.

In 1970 the Board held two meetings: on May 28 and November 25. During these sessions the members were briefed on current arms control and disarmament programs, including research activities, and they offered advice on the conduct of these programs. In the intervals between meetings, board members were called upon for advice and assistance with regard to specific ACDA projects contemplated or underway.

Members of the Board represent an important channel of communication between the Agency and the academic community. Through them, the academic community and individual scholars can become better acquainted with the Agency's operations and research. Because of the expertise of the members, the Board is uniquely qualified to advise ACDA regarding the contribution which the various social science disciplines can make toward the attainment of U.S. arms control objectives. The Board also assists the Agency in assessing research necessary to serve those objectives.

GENERAL ADVISORY COMMITTEE

The General Advisory Committee on Arms Control and Disarmament is charged by the Arms Control Act of 1961 "to advise the President, the Secretary of State, and the Disarmament Director respecting matters affecting arms control, disarmament, and world peace." The law provides that the President may appoint the Committee by and with the advice and consent of the Senate.⁷⁴

President Nixon reconstituted the Committee in 1969 with the reappointment of Mr. John J. McCloy as Chairman and the appointment of 14 new members. The President stated that he wished the Committee to be an independent advisory body.

⁷³The members are listed *infra*.

⁷⁴*Documents on Disarmament, 1961*, p. 485.

On December 16, 1969, the President met with the Committee. He heard a report on what the Committee had done thus far, and he laid several specific problems before it for study and advice in connection with the Strategic Arms Limitation Talks (SALT). Subsequently, the President asked for the Committee's analytical judgment on a number of the major policy issues related to SALT which would supplement and illuminate judgments he receives from within the Executive Branch.

The Committee immediately began to work toward a better understanding of the central strategic and political issues that determine the contribution which arms control measures can make to our national security. During calendar 1970 the Committee convened 18 times. It has access to a wide range of classified documentation and heard 92 of the most qualified authorities both within and outside the government on the questions under study. These included Secretary of State Rogers; Under Secretary Richardson; Deputy Secretary of Defense Packard; the President's Assistant for National Security Affairs, Dr. Kissinger; the Acting Chairman of the Joint Chiefs of Staff, Admiral Moorer; the Director of ACDA, Mr. Smith and his deputy, Mr. Farley; the Director of the Central Intelligence Agency, Mr. Helms; the Supreme Allied Commander in Europe, General Goodpaster; Mr. Robert McNamara and Mr. Dean Acheson.

Among others who met with the Committee to discuss national security and arms control questions were Dr. Alice L. Hsieh, Institute for Defense Analysis; Mr. Kiichi Saeki, Director, Nomura General Research Institute of Japan, and Mr. Michio Royama of the International House of Japan; Professor W. K. H. Panofsky, Director, Stanford Linear Accelerator Center; Professor Robert A. Scalapino, University of California; Dr. William Kaufmann, MIT; Ambassador Robert Ellsworth, U.S. Permanent Representative on the North Atlantic Council; Ambassador J. Robert Schaetzel, U.S. Representative to the European Communities, Brussels; Ambassador Helmut Roth, Federal Commissioner for Disarmament, Federal Republic of Germany; Mr. Adrian Fisher, Dean of Law, Georgetown University; and Mr. Anthony Hartley, Editor, *Interplay Magazine*.

The Committee examined MIRV, ABM, verification, and intelligence capabilities as well as strategic questions related to Europe, the Middle East, Cuba, Japan, and China. The Committee also conducted a series of closed door hearings on questions related to general purpose forces and the strategic balance.

In fulfillment of its statutory responsibilities, the Committee, during the past year, furnished the President, the Secretary of State, and the Director of ACDA with specific recommendations on a number of major issues related to SALT and the strategic balance. The Chairman met, at the invitation of the President, with the National Security Council.

In order to assist the Committee in the performance of its work, the Chairman has a small staff located in the Committee's offices in the Department of State.

The members of the Committee, appointed by President Nixon, are:

John J. McCloy, lawyer, former adviser on Disarmament to President Kennedy, retired Chairman of the Chase Manhattan Bank, former Chairman of the Ford Foundation, of the World Bank, U.S. High Commissioner for Germany, and Assistant Secretary of War during the Second World War.

I. W. Abel, President of the United Steel Workers of America.

Dr. Harold Brown, scientist, President of the California Institute of Technology, member of the SALT Delegation, and former Secretary of the Air Force.

William J. Casey, author, editor, and lawyer.

William C. Foster, former Director of the Arms Control and Disarmament Agency and former Deputy Secretary of Defense.

Kermit Gordon, economist, President of the Brookings Institution, former member of the Council of Economic Advisors, and Director of the Bureau of the Budget.

Dr. James R. Killian, Chairman of the Corporation of Massachusetts Institute of Technology, former Special Assistant to the President for Science and Technology.

General Lauris Norstad, USAF (Ret.), Chairman of the Board and President of the Owens-Corning Fiberglas Corporation, former Supreme Allied Commander in Europe (SHAPE).

Dr. Jack Ruina, scientist, Professor of Electrical Engineering at Massachusetts Institute of Technology, former President, Institute for Defense Analyses, and Assistant Director for Defense Research and Engineering, Department of Defense.

Dean Rusk, Professor of International Law, University of Georgia; former Secretary of State.

Governor William Scranton, lawyer, former Governor of Pennsylvania, and member of Congress.

Cyrus Vance, lawyer, former Deputy Secretary of Defense.

Dr. John Archibald Wheeler, scientist, Joseph Henry Professor of Physics at Princeton.

For business and personal reasons, Mr. C. Douglas Dillon resigned from the Committee on September 21, 1970.

THE SOCIAL SCIENCE ADVISORY BOARD

Chairman

Philip Mosely, Professor of International Relations and Director of the European Institute at Columbia University, New York, N.Y.

Members

A. Doak Barnett, Senior Fellow in Foreign Policy Studies, the Brookings Institution, Washington, D.C.

Abram Bergson, Professor of Economics at Harvard University, Cambridge, Mass.

William M. Capron, Associate Dean, John F. Kennedy School of Government, Harvard University, Cambridge, Mass.

W. Phillips Davison, Professor of Journalism and Sociology, Columbia University, New York, N.Y.

Jerome D. Frank, Professor of Psychiatry, the Johns Hopkins University School of Medicine, Baltimore, Md.

Harold Guetzkow, Fulcher Professor of Decision-Making at Northwestern University, Evanston, Ill.

E. Adamson Hoebel, Professor of Anthropology, University of Minnesota, Minneapolis, Minn.

Morris Janowitz, Professor of Sociology at the University of Chicago, Chicago, Ill.

Saul H. Mendlovitz, World Law Fund, New York, N.Y.

OFFICIALS OF THE AGENCY

Director: Gerard C. Smith

Deputy Director: Philip J. Farley

Special Assistant to the Director and Executive Secretary:

Howard Furnas

Counselor: Lawrence D. Weiler

Assistant Director, International Relations Bureau:

James F. Leonard

Deputy: Arthur R. Day

Assistant Director, Science and Technology Bureau:

Spurgeon M. Keeny, Jr.

Deputy: Sidney N. Graybeal

Assistant Director, Weapons Evaluation and Control Bureau:

John M. Lee, V. Adm., USN

Deputy: Ira B. Richards

Assistant Director, Economics Bureau: Robert H. B. Wade

Deputy: Albert M. Christopher

General Counsel: William W. Hancock

Deputy: Charles N. Van Doren
Public Affairs Adviser: Nedville E. Nordness
Deputy: Ralph Stuart Smith
Executive Director: Sanford Menter
Deputy: Emery J. Adams

ANNEX I

ACDA Report on World Military Expenditures, 1969 [Extract]¹*Highlights of the Data*

World military spending continued to rise in 1969, although at a somewhat slower pace than in the 3 years preceding. The total reached a record \$200 billion, up 44 percent since 1964 when ACDA compiled the first estimates of global military spending based on national data for 120 countries.²

During this period, military outlays in current dollars have grown from \$139 billion in 1964, \$143 billion in 1965, \$160 billion in 1966, \$181 billion in 1967, to an estimated \$191 billion in 1968 and \$200 billion in 1969.

Over the 6-year period this means that more than \$1 trillion (\$1,000,000,000,000) has been spent for arms and armed forces. What an expenditure of this magnitude means is clearer when it is measured against available economic resources. This sum exceeds the value of all the goods and services produced in the United States in the past year. It is more than 2 years' income for the world's 93 developing countries, in which over two and a half billion people live. Larger than any civilian programs financed by public funds, the world's military budget in this period took as much public money as was spent by all governments on all forms of public education and health care.

The most recent figures indicate that the advanced industrial nations continue to dominate world outlays (chart 1). Of the \$200 billion estimated to have been spent in 1969, the NATO countries accounted for \$108 billion, or 54 percent, the Warsaw Pact countries for \$63 billion, or 32 percent. U.S. expenditures in 1969, which do not yet reflect the budget cuts made during the year, are estimated at \$82 billion of the NATO total. Soviet expenditures are roughly estimated at \$56 billion of the Warsaw Pact total.

¹ *World Military Expenditures, 1969* (ACDA, Pub. 53, 1969), pp. 1-8. The statistical tables are not reprinted here.

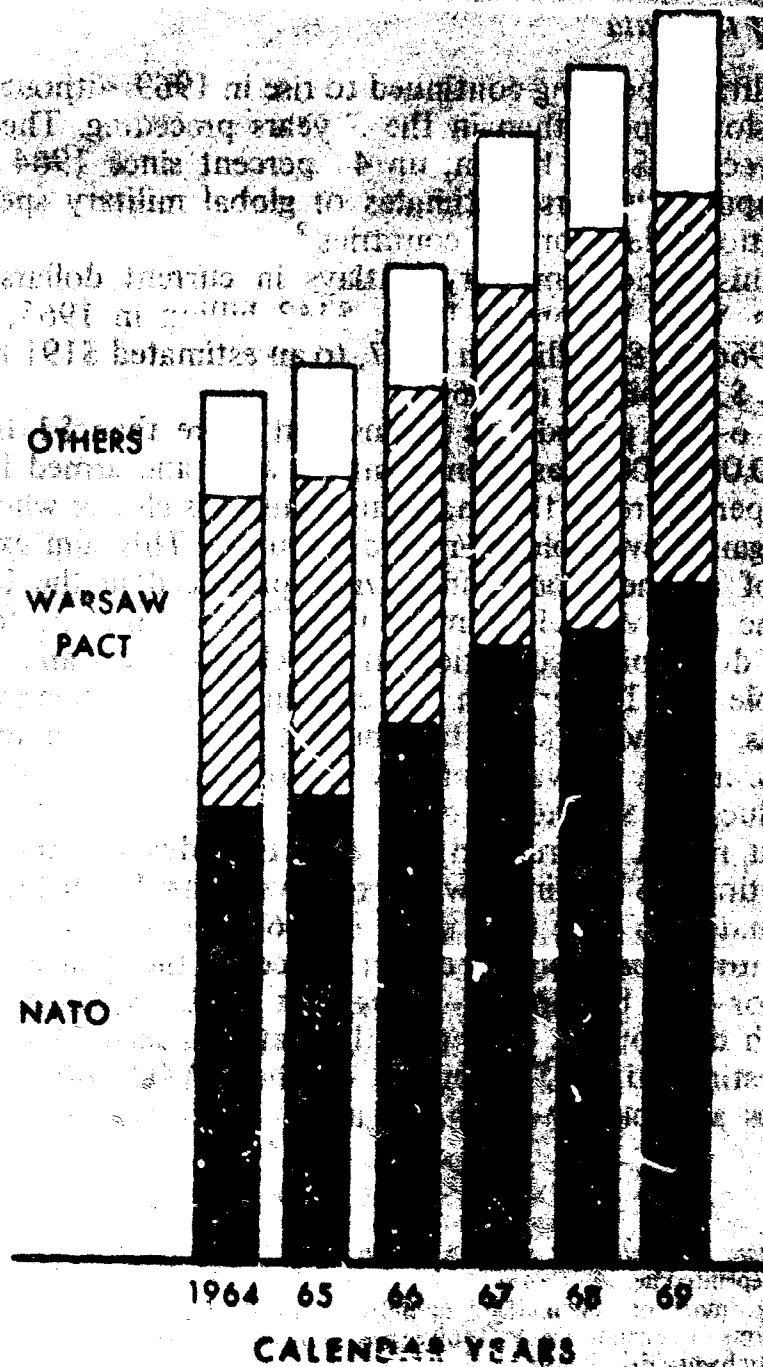
² Since 1967, most of the increase in military spending has resulted from price inflation. In terms of constant prices, 1969 expenditures were 3 percent above 1967 and only fractionally higher than in 1968.

DOCUMENTS ON DISARMAMENT, 1970

Chart I, Annex I

WORLD MILITARY EXPENDITURES

IN BILLIONS OF DOLLARS



In both 1968 and 1969, however, the military expenditures of countries outside the two major blocs represented an increasing proportion of world outlays. Military budgets of these countries appeared to be growing at a rate more than twice that of the world total, reflecting an accelerated arms race among the developing countries. The upward spiral of arms budgets in the poorer countries was one of the most striking—and disturbing—aspects of the latest trends in world military spending.

Table I, page 10, provides summary data for the years 1964-69. Detailed country figures for 1967 and earlier years appear in tables II through V, pages 11 to 20. The text below reviews significant trends and comparisons.

The Trend of Military Expenditures

Between 1965 and 1967, world military spending in current prices soared upward at the rate of 13 percent a year. Preliminary data now available for 1968 and 1969 suggest that the year-to-year increase has since slowed down. Outlays of the NATO and Warsaw Pact countries were still rising in 1969, but less rapidly. In the remaining countries, while national trends are spotty, the expansion of military budgets still averaged close to 10 percent a year. For the world as a whole, the increase has been 5 percent a year since 1967.

This more recent trend is encouraging in several respects. The rise is not only smaller than in the mid-sixties but also slightly less than the average annual rise since World War II. If the pattern of the last 2 years continues, it will mean some reduction in the ratio of military spending to world income.

On the other hand, it will take more than a diminished rate of increase to lessen significantly the heavy economic burden of world military expenditures. If recent spending patterns continue, the nations of the world by the end of the seventies will be devoting more than \$300 billion a year to defense. Over the decade they would have spent for this one purpose alone an amount virtually equivalent to the present tangible wealth of the United States—all the land, homes, factories, highways, minerals, and other real assets.

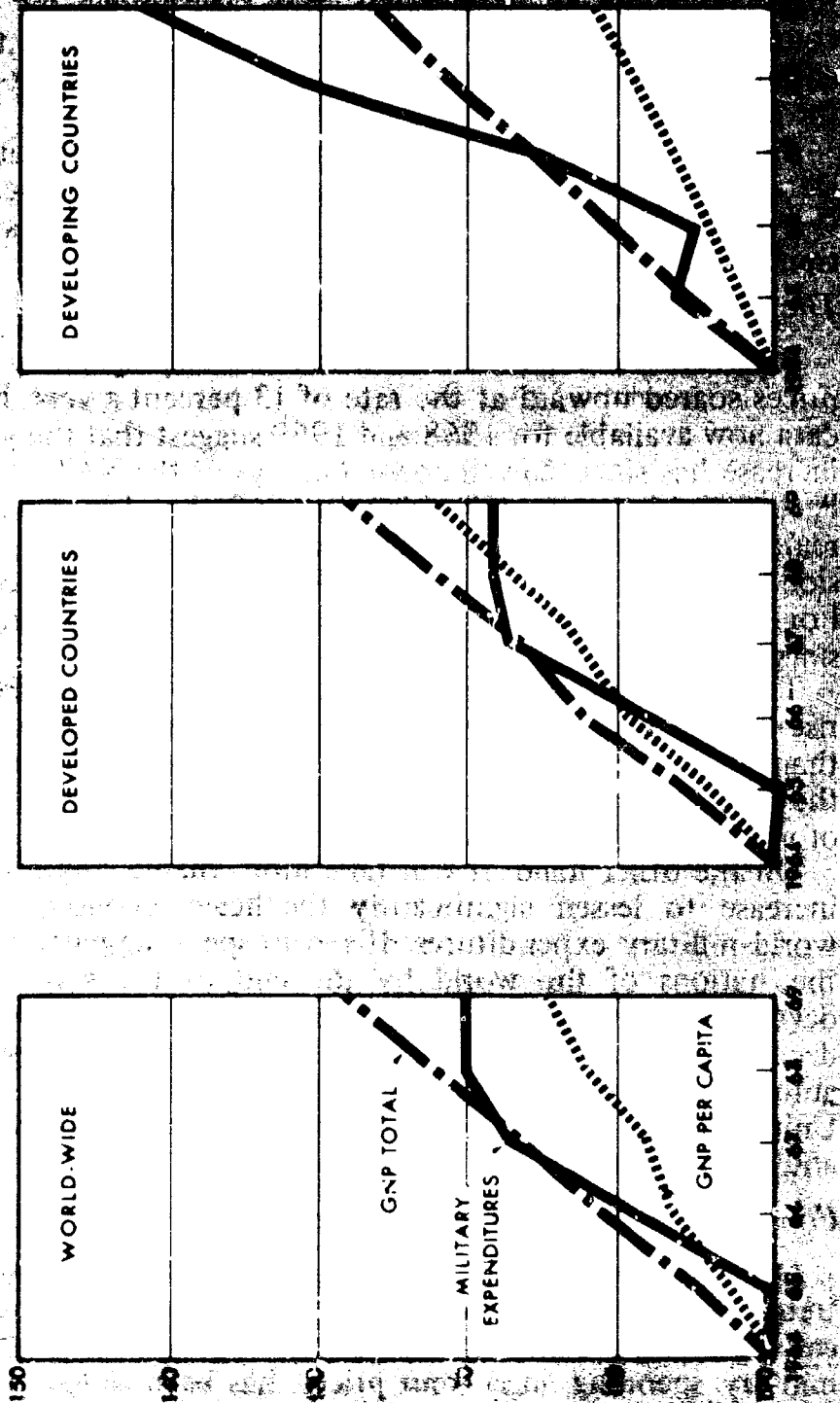
Comparisons With Economic Growth

Over the period of the survey, there has been a more erratic trend in military spending than in world product although in both cases the trend has been consistently upward. The annual rise in military spending, in current prices, has been as low as 3 percent and as high as 13 percent, averaging 7 percent since 1964. Meanwhile, the value of world product has expanded at a fairly steady 8 to 10 percent.

In real terms, the economic improvement in the past 6 years has been considerably less than the change in the dollar value of world GNP would indicate. Population has gone up by 2 percent, prices

MILITARY EXPENDITURES AND GNP IN CONSTANT PRICES

INDEX: 1064-100



by 4 percent yearly. These two factors reduce the actual increase in real product per capita to less than 3 percent a year, or a total of 14 percent over the 6 years. This is appreciably less than the 20 percent increase in military expenditures adjusted for price changes. (See chart II.)

Several generalizations can be made from these comparisons and the summary data in table I:

1. The world's economic standard of living in real terms has improved relatively little during the past 6 years.
2. The diversion of resources to military purposes has expanded in step with the world's capacity to produce.
3. Part of the growth dividend since 1964 has been dissipated in higher military expenditures, rather than contributing to the improvement of living standards.
4. Per capita, the burden of military spending has grown larger over the 6-year period. (And it is in the poorer countries that this increase in burden has been greatest, as the charts and discussion which follow reveal.)

Trends in Developing and Developed Countries

National and regional differences in the trend of military expenditures are so extreme that generalizations based on global figures are sometimes misleading. Chart III indicates how strongly a small percentage of the world population influences world GNP.

This type of diagram, known as a "Lorenz Curve," is sometimes used to show the relative distribution of income among individuals or families making up a country's population. Here it shows the distribution of world product among countries making up the world's population. The curve represents the populations of 129 countries ranked in ascending order from the poorest to the richest according to their 1967 per capita GNP. Any point on the curve shows the cumulated share of both world GNP and world population accounted for by all countries above or below that point.

At the upper end of the curve are the richer nations, representing only a fraction of the world population (horizontal axis) but producing more than half of the world product (vertical axis). By contrast, the lower part of the curve shows a large population producing a relatively small percent of world GNP. At 52 percent in the population axis, as the dotted line indicates, the corresponding point in the GNP axis is 7 percent. That is, half the world's people produce a share of the world product equivalent to that represented by military expenditures.

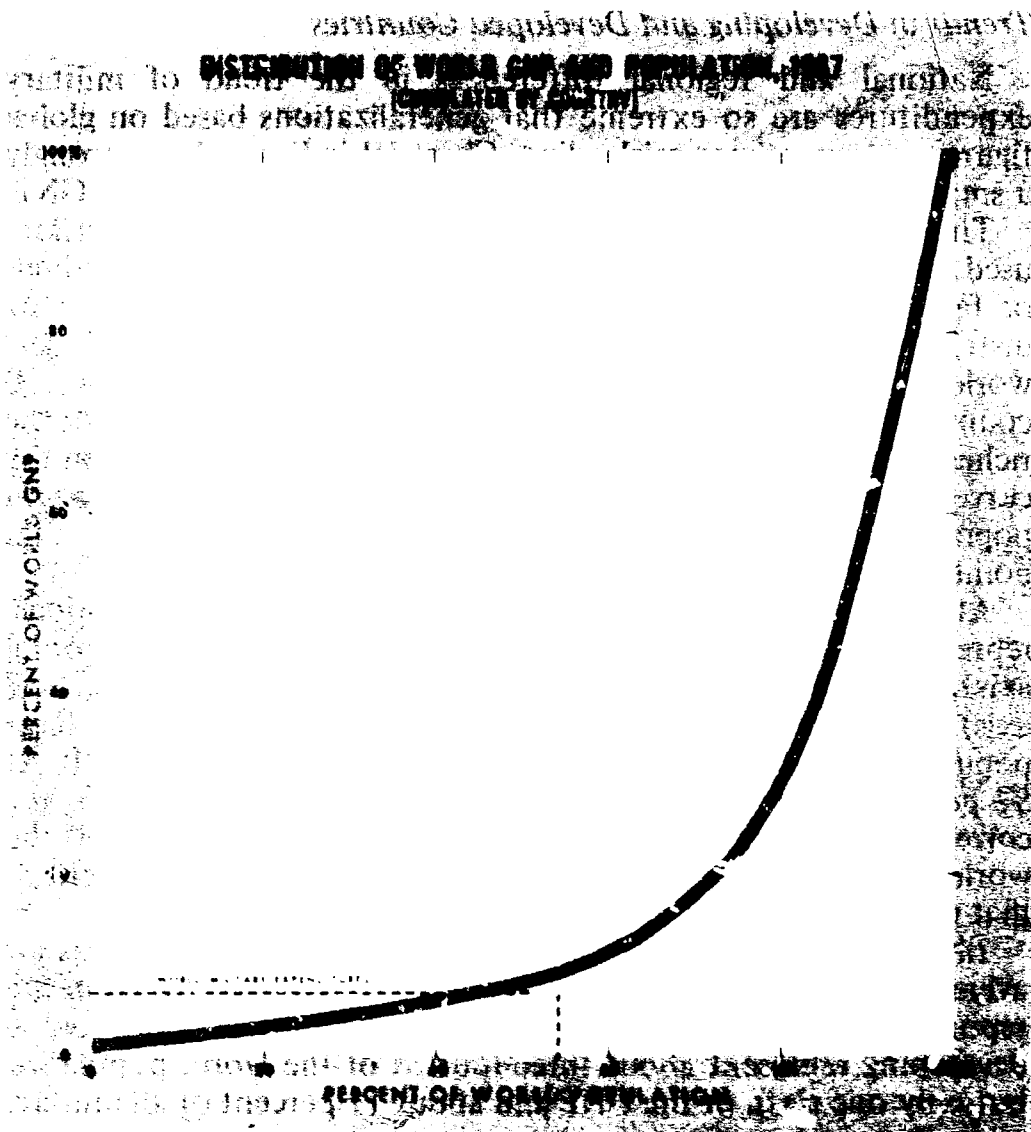
Illustrative of the significant differences in national figures are averages for two groupings of countries which are identified in this report as developing and developed. The countries designated as developing represent about three-fourths of the world population but only one-sixth of the GNP and about 11 percent of all military

spending. As a result, their changes have less effect on the world aggregates than do changes in the developed countries. Chart II, on page 2 and table I, page 10, indicate how different the trends in these two categories of countries have been since 1964. The world indexes for military expenditures and GNP tend to be close to the showing of developed countries. However, the relative expansion of military expenditures in developing countries has been *twice* that of the developed countries.

In current prices the average annual increase was 15 percent in developing and 7 percent in developed countries between 1964 and 1969, while the average increase in GNP was 10 percent yearly in developing and 9 percent in developed countries.

Two factors increased much more sharply in developing than in developed countries: prices and population. Both of these cut back the relative economic gains in the poorer countries, and widened the gap between the developing and developed parts of the world. When price and population changes are allowed for, the

Chart III, Annex I



annual increase in per capita GNP in developing countries was only 2 percent, bringing them to an average income level of \$180 per person in 1969. (Developed countries had a per capita GNP gain of 4 percent yearly, after price adjustment, bringing their per capita income to an average of \$2,332.)

Against this showing, the upward spiral in military spending in the developing countries was particularly striking. Preliminary estimates indicate that in real terms, that is, after price adjustment, their military expenditures rose at an average rate of 7 percent a year between 1964 and 1969. With GNP per capita growing at the rate of only 2 percent a year, these populations were bearing a heavy and mounting burden to support military expansion.

In a forthcoming report on trends in military spending since 1950, ACDA will review evidence on the relationships between military spending and development progress. Indications are that in developing countries, where resources are tight, increases in military expenditures tend to mean lower growth rates unless they are subsidized through foreign sources.

Since 1964, developing countries have failed to increase their share of the world product. This has stayed at about one-sixth of the total, a minor share considering that they have almost three-fourths of the world's population (chart IV), and that this proportion has grown in recent years. Military spending of the developing countries held at 11 percent of the world total until the sharper upswing of the last 2 years. If this more recent trend should continue, the developing countries may increase their share of world military power but risk shrinking even further their modest share of world economic power.

Relative Burden

The basic table for 1967, pages 11 to 13 following, provides two statistical indicators that are useful in gauging the relative burden of military expenditures and the ability of an economy to support its military effort. The most commonly used indicator for these purposes, the ratio of military spending to GNP, is inadequate if used alone, and may be misleading. A major weakness of this ratio is that it fails to take account of the population factor and therefore of the level of economic strength as represented by per capita income. To offset this weakness, per capita GNP in each country is shown next to the ratio figure in table II. Countries with low per capita incomes are more likely to have greater and more urgent resource scarcities. In these countries military spending competes directly with both consumption and the investment necessary for growth.

Chart V below summarizes the relative standing of the 120 countries in the survey, taking account of all three relevant

Chart IV, Annex I

SHARE OF WORLD TOTAL

IN 1967

DEVELOPED COUNTRIES DEVELOPING COUNTRIES

0 25 50 75 100%

GNP

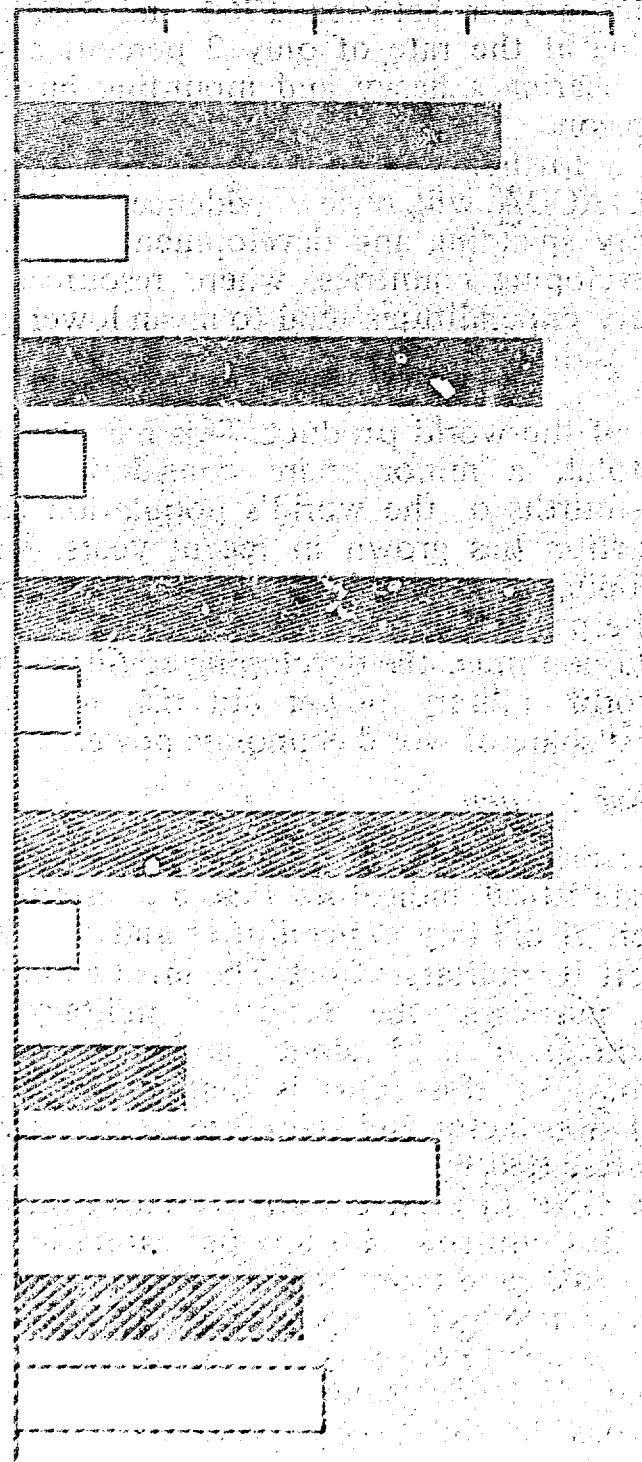
MILITARY EXPENDITURES

EDUCATION

HEALTH

POPULATION

ARMED FORCES



Best Available Copy

factors, military expenditures, GNP, and population. The chart shows where each of the countries stands in per capita GNP and in the ratio of military spending to GNP. Countries with the heaviest defense burden in terms of these two criteria appear in the upper left portion of the chart; countries with the lightest in the lower right portion.

This scatter diagram shows that the economic impact of military spending is extremely uneven throughout the world. The highest spenders relative to GNP are all poor countries in terms of their per capita income. In the first tier—with expenditures exceeding 10 percent of GNP—there are 11 countries, all of them developing; nine of the countries spending over 10 percent of GNP on military programs have per capita incomes of less than \$300 a year. In the second tier—spending 5 to 10 percent of GNP for defense—10 of the 15 countries are classed as developing.

Proportionately more developing than developed countries fall in the high burden categories. At the same time, proportionately more developing than developed countries are also in the low end of the scale (the two lowest tiers of the chart). African and Latin American countries in general show up with the lowest ratios of defense to GNP. The very diverse pattern in relative burden suggests the importance of further study in depth of the impact of military expenditures on the pace and quality of growth, particularly among the newer nations.

Other Public Expenditures

In the world as a whole, no other single activity of government attracts as much public financing as military preparedness. Available budget data indicate that in many countries defense accounts for a fourth or more of all expenditure of central governments.

Next to defense the largest single outlay that most governments make is for education. World expenditures on education are estimated to have reached \$128 billion in 1967 (chart VI). Like military spending, this appeared to represent a new record total. However, it was still only two-thirds as large as military expenditures in that year. Considering the rapid growth in the school-age population, education expenditures had not changed appreciably per pupil. World population between the ages of 5 to 19 is estimated at 1.1 billion. This indicates a world average expenditure for public education of less than \$120 per school-age child.

For all publicly supported health care, governments paid out an estimated \$60 billion in 1967, or one-third as much as for defense. For the world population, public health expenditures averaged \$17 per person.

One other major budget category for which data are available for global comparisons is foreign economic assistance. For the donors this amounted to \$8 billion in 1967. Aid given averaged \$9 per capita in the developed countries. Economic aid receipts, when

Chart V, Annex I

RELATIVE BURDEN OF MILITARY EXPENDITURES

GROSS NATIONAL PRODUCT PER CAPITA									
	UNDEK 100	100-199	200-299	300-499	500-999	1000-1999	2000-2999	OVER 3000	
OVER 10%									
5-10%									
2-5%									
1-2%									
UNDER 1%	BRUNAI NEPAL	RUSSIA LEONE		COSTA RICA PERU	JAMAICA MEXICO PANAMA TRINIDAD & TOBAGO	JAPAN			IRELAND

MILITARY EXPENDITURES AS % OF GNP

WORLD MILITARY AND OTHER PUBLIC EXPENDITURES 1987

**BILLIONS OF
DOLLARS**

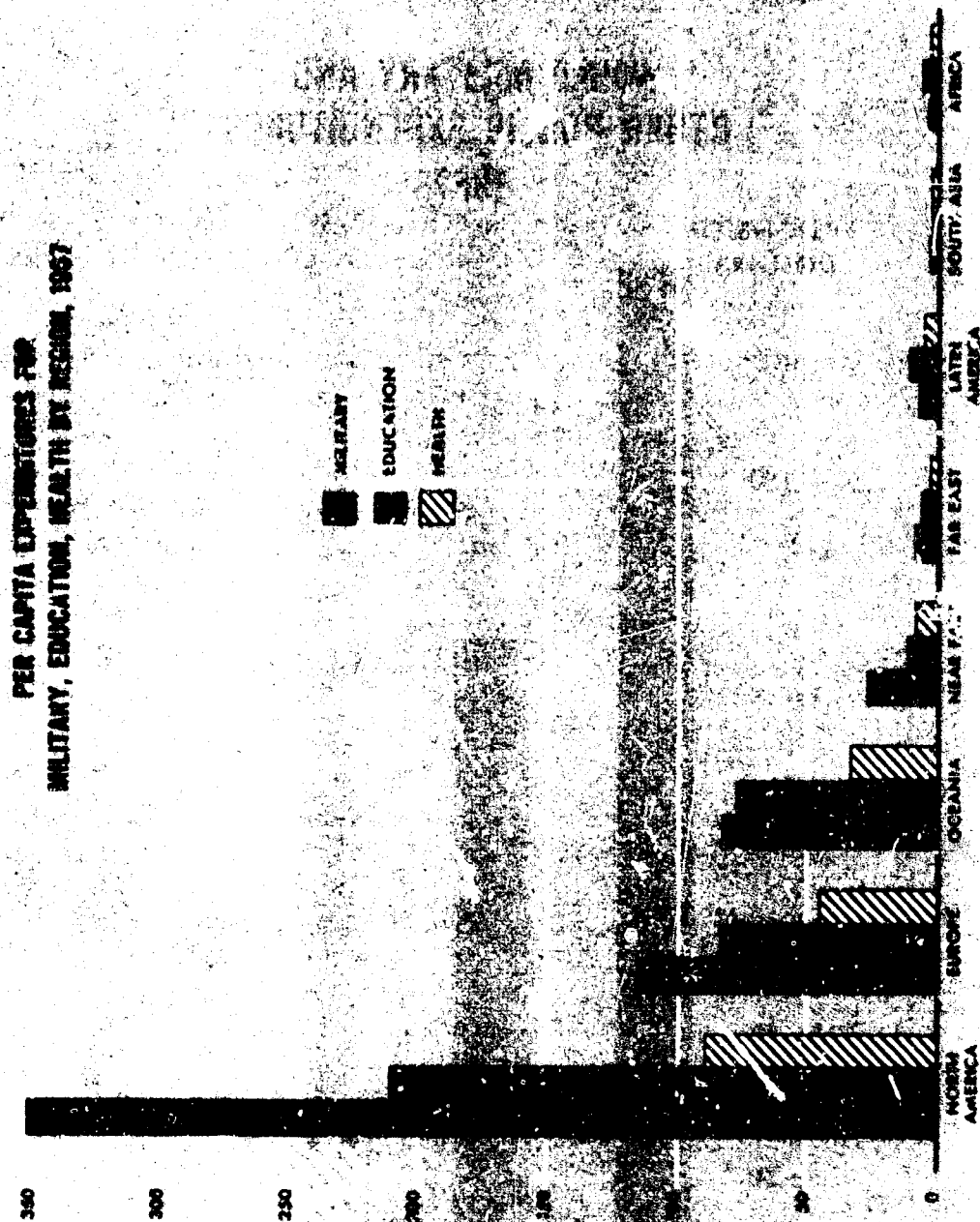
150

100

50



Chart VII, Annex I



divided among the larger populations in the developing world, amounted to about \$3 per person for the receiving countries.

In table III, pages 14-16, per capita military expenditures of all countries are compared with per capita expenditures for public education and health and with gross national product. The table reveals an extraordinary range in these figures, not only among countries but among regions and as between developing and developed countries.

Developed countries in 1967 had a per capita GNP average 12 times that of developing countries. The contrasts were even more extreme in the major categories of public expenditure. Military spending and government outlays for education and health in the richer countries, on a per capita basis, were 20 to 25 times larger than in the developing countries.

In dollar amounts, GNP and expenditures in the major budget categories which are tabulated in this survey compared as follows in 1967 on a per capita basis:

	<i>GNP</i>	<i>Military</i>	<i>Education</i>	<i>Health</i>
World	722	53	37	17
Developed	2,151	168	120	57
Developing	172	8	5	2

Chart VII shows how dramatic these expenditure differences are even on a regional basis. North America's per capita spending dwarfs all others. Europe's is next, followed by Oceania's. In contrast to these three regions, the most that other areas spent on education was \$14 a year per capita and on public health \$8 per capita. South Asia had the lowest spending levels of any region, not only on defense but on public education and health as well; education expenditures averaged out to \$2.70 and health to \$0.40 per person per year.

All comparisons of education and health expenditures are somewhat affected by differences in the emphasis given to public as compared to private financing. Country comparisons in particular must be made cautiously because of this factor. Communist countries tend to support all education and health care through the public budget while others do so through varying proportions of public and private funds. In the United States, for example, private expenditures account for about one-fifth of all spending on education and for almost two-thirds of all spending on health care.

Manpower

The latest figures show an increase not only in expenditures but in manpower devoted to defense. The world total for the armed forces in 1967 was estimated at close to 22 million. In the years immediately prior to 1967, the figure has generally held to 20 million or slightly above.

About half of the increase of 1.4 million men between 1965 and 1967 represents accounting adjustments to cover those

paramilitary forces which play a significant military role. Included in this paramilitary component are units of armed police, carabinieri, and national guard. These paramilitary units are judged capable of making a significant contribution to regular armed forces strength and are generally funded from the central defense budget.

In proportion to population, armed forces are largest in North America and Europe and lowest in Africa and South Asia. Worldwide, military forces represent 0.6 percent of the population, with an average of 1.1 percent in developed countries and 0.5 percent in developing.

Estimates by U.N. experts in 1962 indicated that for every 100 men in the armed forces there might be in addition over 150 people engaged in productive activities directly or indirectly related to the military. This would mean that in 1967 an estimated 55 million people were either in the armed forces or employed in manufacturing and other support functions for the forces, a number equalling the total population of the United Kingdom, or the entire labor force of the United Kingdom, West Germany, and Sweden combined.

ANNEX II

ACDA Report on World Military Expenditures, 1970 [Extract]¹

Summary

World military expenditures, inflated by further increases in prices, reached a new peak in 1970. Last year's world total reached an estimated \$204,000,000,000, the equivalent in dollar value of a year's income produced by the 1,800,000,000 people in the poorer half of the world's population.

In actual expenditures, the increase in world military spending over the previous year was the smallest in recent years (chart I). In terms of constant dollars,² i.e., had prices been unchanged, there would have been a slight decline—a hopeful sign that the sharp uptrend of the 1960's has been blunted (chart II). Expressed as a ratio to GNP, military spending was slightly lower for the third year in a row. In 1970 these outlays took 6.4 percent of the world product.

In the 6 years since the first world survey, military outlays in current dollars have risen almost 50 percent. However, about three-fifths of this increase reflects price inflation. If prices had been unchanged, military expenditures of 1970 would have

¹ *World Military Expenditures, 1970* (ACDA pub. 58, 1971), pp. 1-8. The statistical tables are not reprinted here.

² Figures in current dollars reflect the prices and exchange rates of the respective years to which they apply. Figures in constant dollars have been adjusted for changes in both prices and exchange rates to show "real" values in terms of a single year.

Chart I, Annex II

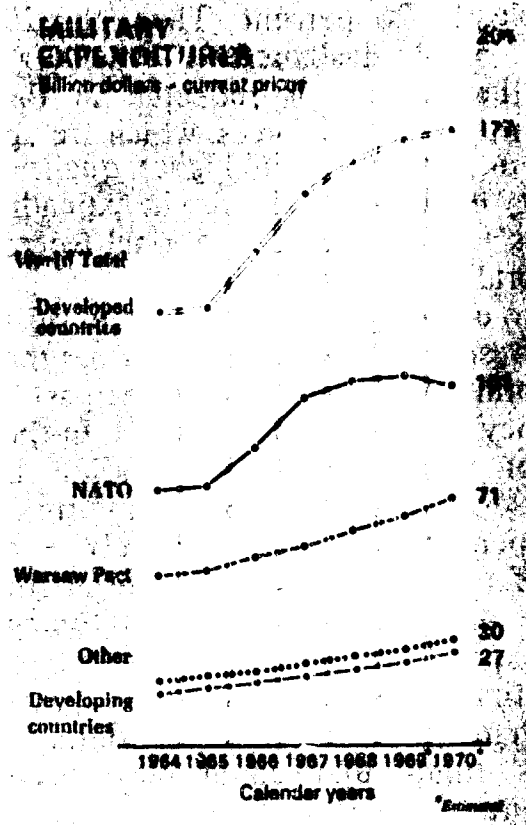


Chart III, Annex II

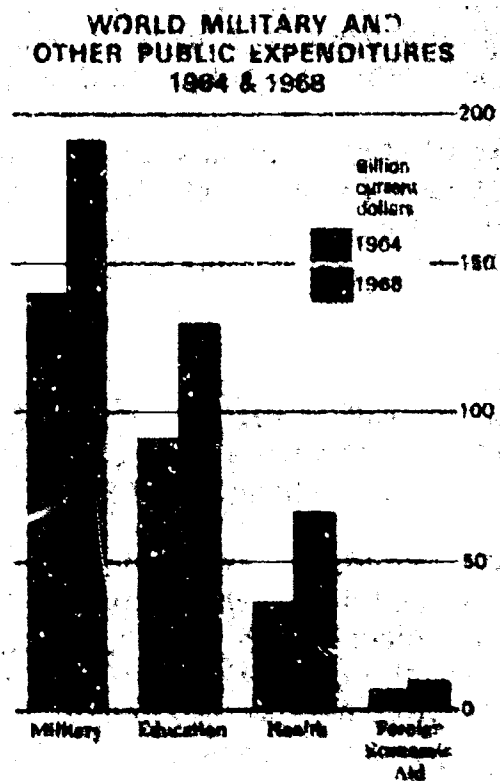
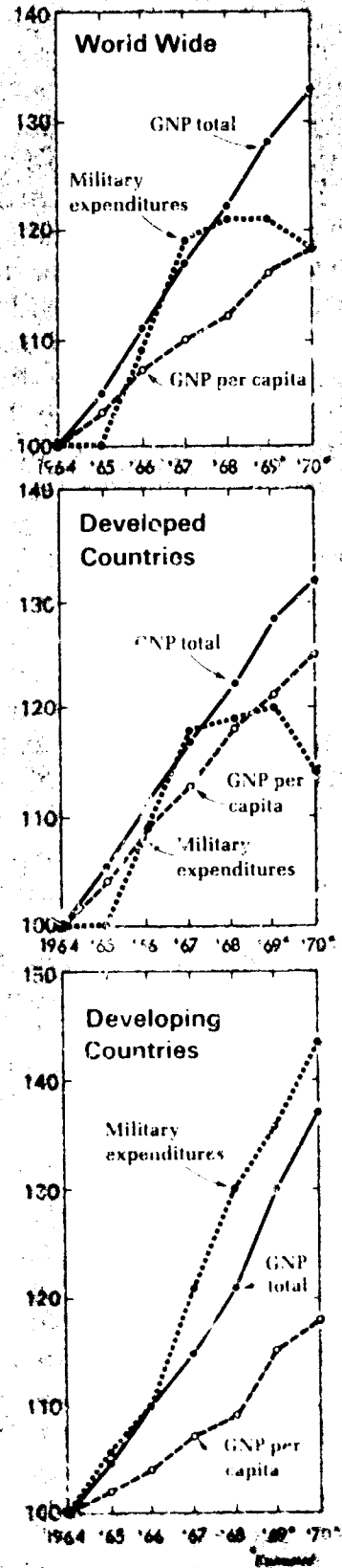


Chart II, Annex II

MILITARY EXPENDITURES AND GNP ESTIMATED IN CONSTANT PRICES

Index: 1964 = 100



exceeded those of 1964 by roughly 20 percent. Thus, the 20 percent rise measures the "real" or physical increase in military effort since 1964. Some of the increase is reflected in the increased numbers of personnel in the armed forces, which are up more than 10 percent; some in investment in higher quality, increasingly sophisticated military equipment. The rise in expenditures includes strategic forces as well as the conventional forces which represent four-fifths of world military spending.

The current survey produces no evidence that a widespread shift from military to civilian uses of resources has begun. Nor does the slower rate of increase in total military expenditures in the past 2 years reflect a worldwide tendency to restrict such outlays. In the vast majority of countries for which recent information is available, there was a further rise in military budgets in current prices in 1970. While NATO spending went down, largely as a result of a decrease in U.S. defense expenditures, the total for developed countries as a whole did not decline. In developing countries as a group, military expenditures again moved higher. Thus, developing countries continued, as they had in the years preceding, to increase their share of world military outlays, devoting to military programs funds that could have been allocated to economic development.

More public funds continued to flow into military programs than into public education or public health programs for the world's population of 3.6 billion (chart III). In developing countries, for example, the *increase* in military spending in the period since 1964 represented the equivalent of 3 years' expenditures on public education for the billion school-age children in those countries.

The text below amplifies some of these summary points and provides additional information on global and regional trends and comparisons. (See table I, page 9.) National data are not compared here, but may be found for 1968 and earlier years in tables II through VI, pages 10 to 30.

The Trend of Military Expenditures

Military expenditures provide a useful barometer of the momentum of the arms race. However, the world total, like all averages, may conceal geographic and other changes which are of major importance in gauging trends.

Chart I shows trends in military expenditures in current prices for the world (vertical white bars) and for each of the major categories of countries for which projections through 1970 are attempted. It should be noted that the categories of countries shown on the charts are overlapping. Most Warsaw Pact and NATO countries, and some "other" countries, are represented in the developed group. Developed and developing countries together make up the world total, as do NATO, Warsaw Pact, and the "other" category.

The chart shows the NATO line in current prices declining, after a rapid rise from 1965 to 1968. Although the Warsaw Pact line continues on a sharp upward slant, developed countries as a whole hardly changed spending levels between 1969 and 1970.

Chart II shows trends in military expenditure: after allowance is made for the effect of price rises. (Correction for price changes on a worldwide basis is necessarily rough.) Expressed in constant dollars, military expenditures of developed countries are estimated to have leveled off between 1967 and 1969 and to have declined in 1970, led by a downturn in the NATO total. This is the first such drop since ACDA's world survey began in 1964, and a significant one in overall effect since expenditures of the developed countries account for approximately 90 percent of world military spending.

The trends in developing countries as a group are rather different. In current and even in constant prices, the recent rapid increase of military spending in these countries has continued. Within this classification of countries, however, major differences in military expenditure trends are evident. The rate of expansion of expenditures is by far the sharpest in the Near East. Smaller increases have occurred in the Far East, Latin America, and Africa. In South Asia, spending rates have changed relatively little since 1966.

As chart II indicates, in the developing countries as a whole the rate of increase in military spending continues to outstrip the advance in GNP, at the expense of populations whose average income per capita is still barely \$200 a year.

Comparisons With Economic Growth

Since 1968, when the advance in world military expenditures began to moderate, the growth rate of world GNP has been faster than the overall rise in military spending (see chart II). As a consequence, the share of world GNP going to military programs has declined from a high of 7.3 percent in 1967 to 6.4 percent in 1970.

This change suggests that, overall, the military burden has begun to lessen somewhat in relation to the world economy. On the other hand, changes over time in the ratio of military spending to GNP must be evaluated cautiously, both as measures of relative burden and as indicators of arms restraint. Economic growth is population-related. Unless the civilian portion of world GNP—the investment and consumption component—grows with rising population, living standards fall. Unless the civilian portion adjusted for the population rise expands with rising GNP, living standards have not benefited fully from the growth dividend.

The record for 1970 as compared with 1964, the year of ACDA's first annual survey, shows that military expenditures have absorbed some of this growth dividend, although the share of

world GNP that they take has diminished. The changes, expressed in dollar equivalents, are summarized in the table below:

WORLD GROWTH DIVIDEND, 1970 OVER 1964
(Billion dollars)

Increase in GNP in current dollars	1,252
of which:	
price inflation	514
population increment (valued at 1964 GNP per capita)	288
Increase in GNP (adjusted for price and population changes)	(450)
of which:	
increase in military expenditures	28
Leaving an actual growth dividend for civilian uses of	422

In 1970 the dollar value of world GNP was \$1,252 billion higher than in 1964. Price rises and population growth, however, accounted for a major part of this apparent gain in value. The increase in GNP, when higher prices and larger population are considered, was \$450 billion or only one-third of the apparent increase. The increase in world arms spending in constant prices took \$28 billion of this dividend, representing a larger share of real growth in developing than in developed countries.

As an indicator of arms restraint, a downward trend in the ratio of military expenditures to GNP is not sufficient. With a rapidly growing economy, even a declining ratio to GNP can conceal an intensified arms race.

Compared with the immediate pre-World War II period, military expenditures in 1970 probably took a somewhat smaller share of world GNP. However, the world economic base has been so vastly enlarged that today's share represents a fourfold increase in expenditures, in real terms, as compared with 1937. It is estimated that worldwide military expenditures of 1937, based on a League of Nations study of that prewar year, totaled about \$50 billion in 1970 prices in contrast to today's \$204 billion.

Developed and Developing Countries

Poorer countries suffer most from arms races. For example, military equipment which they produce themselves may tap the high-quality resources that are most needed for investment in civilian industry. Military equipment bought from abroad may take some foreign exchange that could have helped to modernize the economy and improve living standards.

For the past 6 years, ACDA's survey shows, military expenditures have grown considerably faster in developing than in developed countries. The GNP increase in developing economies from 1964 to 1970, expressed in constant prices, is substantial, but the rate of growth per capita has been less than that in developed countries.

For the developing countries, a calculation of the annual growth dividend similar to that shown in the table above for the world total reveals that they have devoted to military spending twice as large a proportion of their GNP growth dividend as have developed countries, when allowance is made for price increases and the more rapid population growth in the poorer countries. Together, these factors have limited their actual growth dividend for civilian uses to a 6-year gain of only \$30 per person. In developed countries, by contrast, the civilian increment from 1964 to 1970 was 16 times as much or \$469 per person.

Chart IV illustrates the end-results of these trends as of 1968. The 93 developing countries in ACDA's survey represented 73 percent of the world's population but had only 17 percent of current world income. They accounted for only 7 percent of world public expenditures on health care and for 10 percent on education. The inclusion of international economic assistance would of course add somewhat to the resources available to developing countries, but the addition would represent a relatively minor proportion of their GNP. All foreign economic aid, loans as well as grants, amounts to less than 2 percent of GNP of developing countries.

Chart IV, Annex II

SHARES OF WORLD TOTAL IN 1968

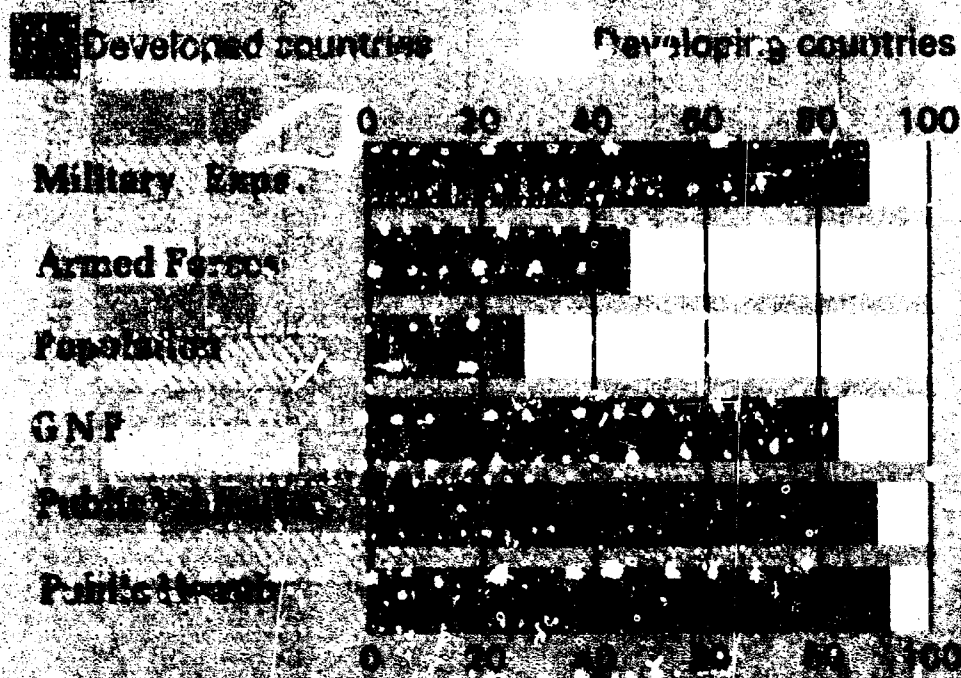
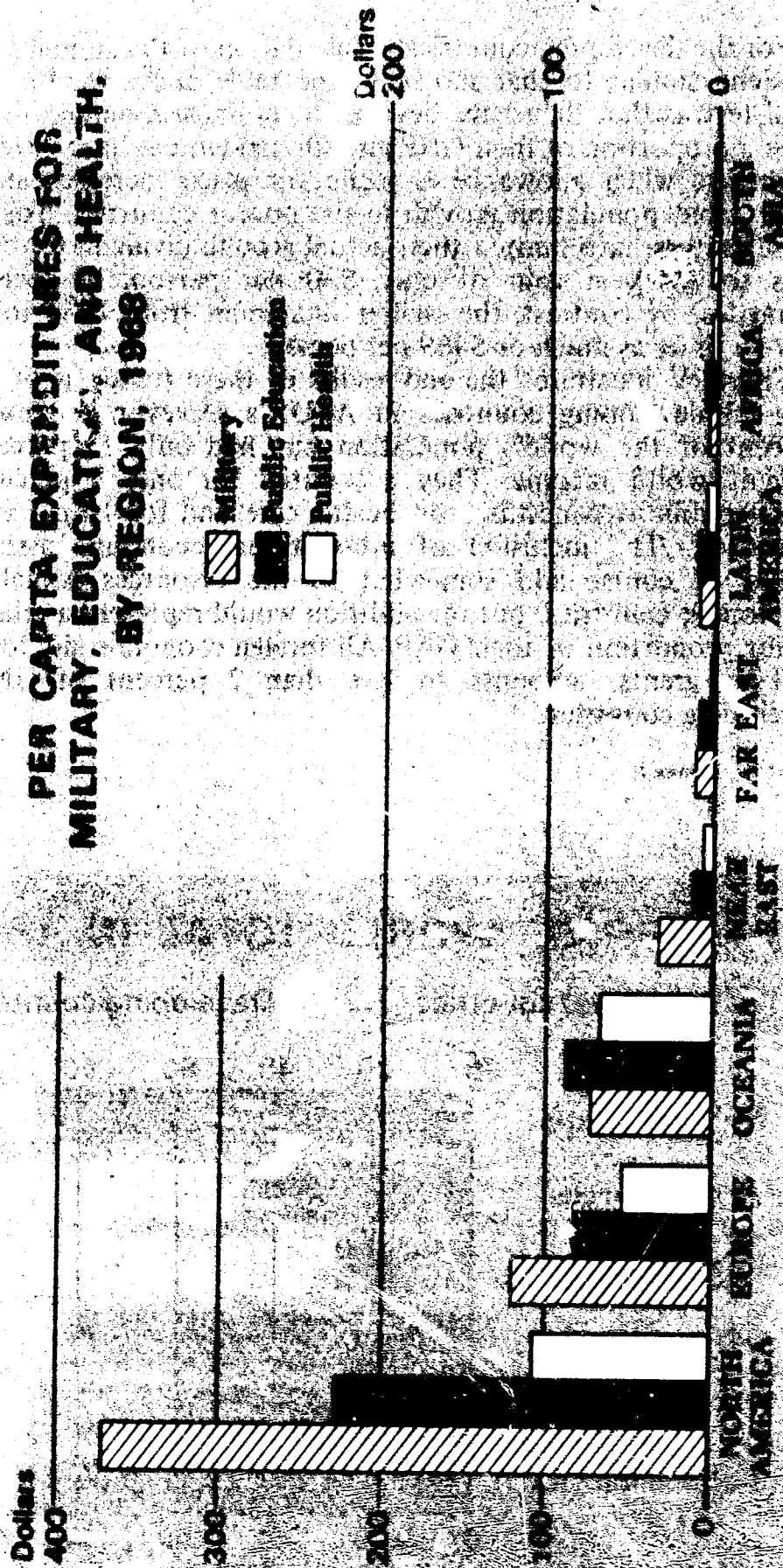


Chart V, Annex II



On the other hand, the developing areas, with their large populations, accounted in 1968 for more than half the 24 million men under arms in the world.

While the budgeted military expenditures of the developing countries were only 12 percent of the world total in 1968, this is not the full amount that went into maintaining military forces in these countries. Military aid contributions of the major powers are a significant supplement to the military expenditures of developing countries. Military aid, according to the standard budgetary concept of this report, is counted among the military expenditures of the donors—not in the recipients' military budgets. In this respect the expenditure data and chart IV tend to understate the relative military capacity of the developing world.

Growth rates recorded since 1964 (see table below) suggest that developing countries have gradually enlarged their share of world military effort, maintaining a rate of increase in personnel in the armed forces as well as in military expenditures considerably larger than that of developed countries. However, this expansion of military effort was accompanied by a lowering of their relative economic standing when population increase is taken into account.

AVERAGE ANNUAL GROWTH RATES, 1964–70

(Values in constant prices)

	World	Developed	Developing
Military expenditures	2.8	2.3	5.9
Armed Forces	1.9	0.0	3.7
Total GNP	4.9	4.8	5.7
Population	2.1	1.0	2.5
Civilian GNP ³ per capita	3.0	4.0	3.1

Other Public Expenditures

A comparison of world military expenditures with other public expenditures such as public education, public health, and foreign economic assistance is set forth in chart III. Regional comparisons are shown in chart V, and national data may be found in statistical tables II and III. Comprehensive data on private expenditures on these civilian programs are not available. See table II, footnotes 3 and 4, for available data on private spending in individual countries.

Manpower

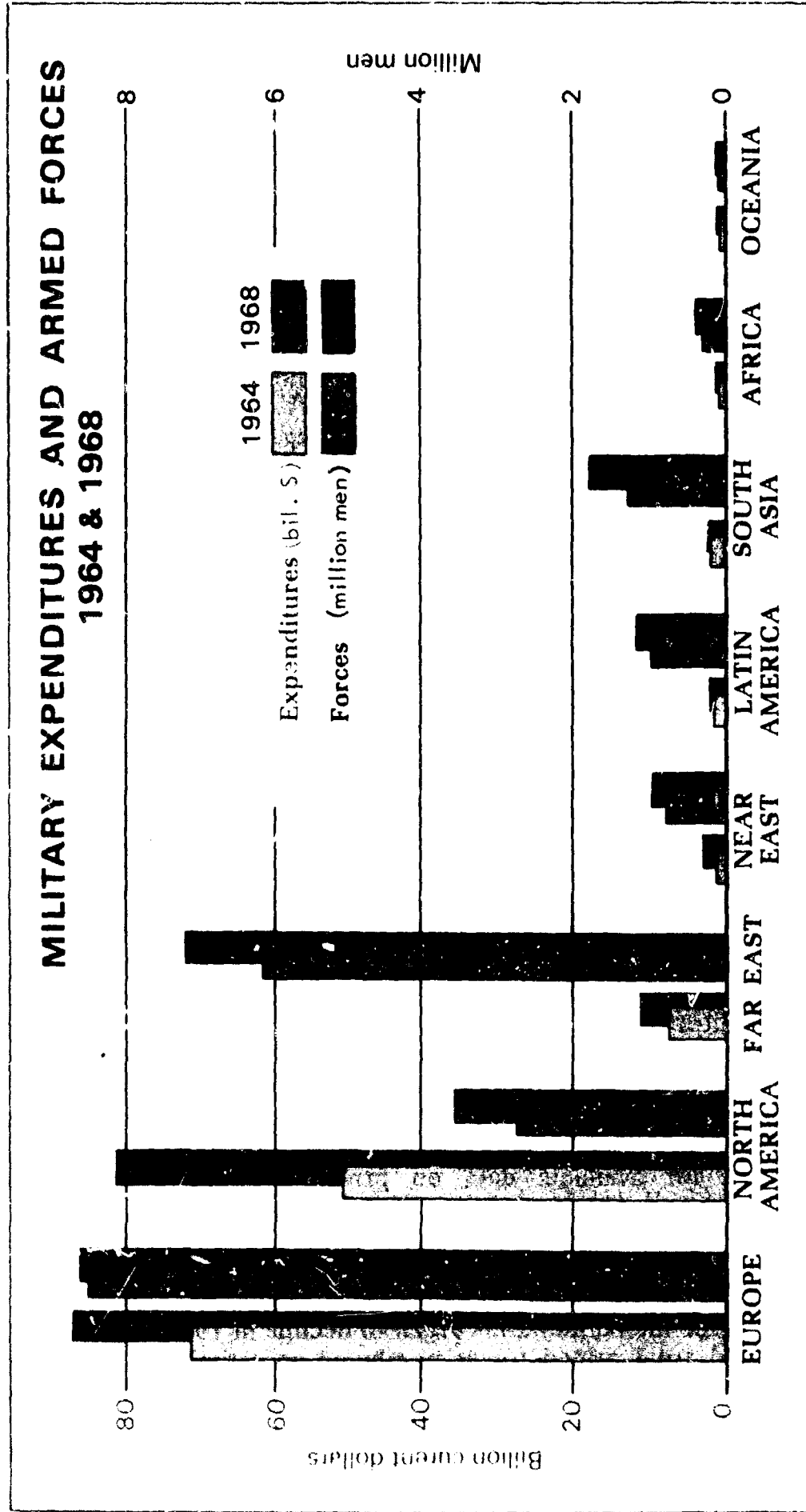
Following a steady upward trend between 1964 and 1968, the number of men under arms began to decline in 1969 and 1970. At year-end total armed forces numbered an estimated 23 million, about 0.5 million fewer than at the 1968 peak, although still more than 2 million higher than in 1964.

Chart VI shows the large numbers of active duty forces

³GNP less military expenditures.

Chart VI, Annex II

MILITARY EXPENDITURES AND ARMED FORCES 1964 & 1968



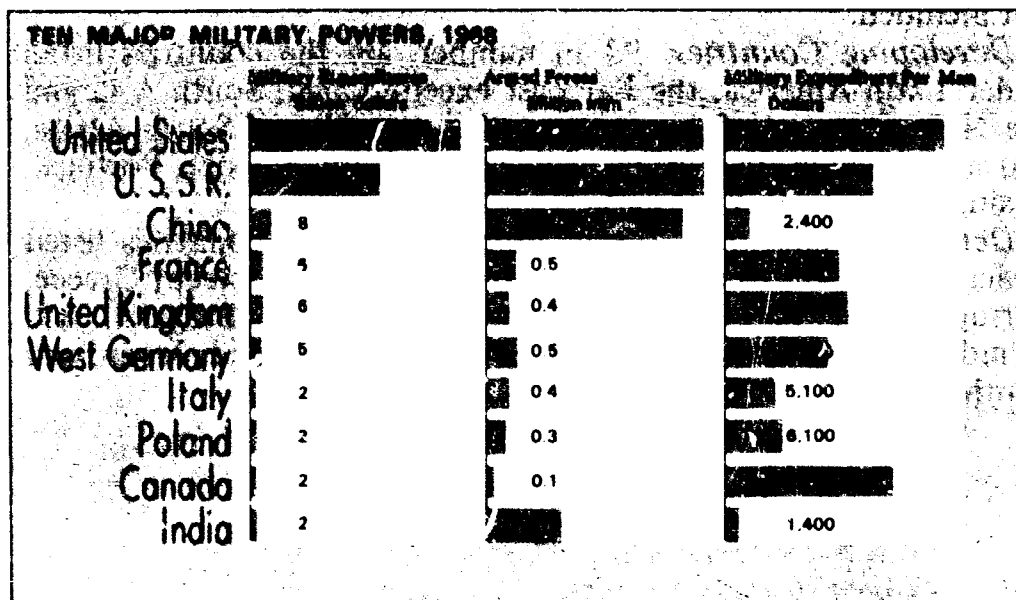
belonging to two of the seven geographic regions. In 1968 almost 16 million, or two-thirds, of the men under arms were in the forces of European and Far Eastern countries. North America ranked next with 3.6 million under arms and the Near East next with 1.8 million. All regions increased forces between 1964 and 1968, the largest rise in absolute numbers being in the Far East.

Both developing and developed countries have increased military expenditures more rapidly than personnel. The trend is to larger outlays per man in uniform even when allowance is made for price rises. This rate, of course, varies widely among individual countries. Chart VIII, showing several indicators for the 10 major military powers, illustrates the range in expenditures per man in uniform.

In addition to the men and women serving directly in the armed forces, military-related employment remained high particularly in the industrialized countries. In Europe as a whole, manpower in the armed forces and in industries and trades related to military requirements was estimated at almost 10 percent of the economically active population. Worldwide, manpower in the armed forces and in military-related employment in 1968 was close to 60 million, a number equaling the total population of West Germany.

Note.—Chart VII is not printed here.

Chart VIII, Annex II



DEFINITIONS OF TERMS

Gross National Product (GNP) represents an economy's total output of goods and services, valued at current market prices paid by the ultimate consumer.

Military Expenditures are current and capital expenditures to meet the needs of the armed forces, including: expenditures of national defense agencies for military programs; expenditures for the military components of such mixed activities as atomic energy, space, and research and development; military assistance to foreign countries; and expenditures on paramilitary forces where they contribute substantially to a country's military capabilities.

Foreign Economic Aid Received by developing countries comprises official bilateral grants and loans (gross of repayments) disbursed by Development Assistance Committee (DAC) countries and net aid received from multilateral agencies. (Aid received from Communist countries is shown in the world total but is not included in country or regional totals.) *Aid given* by DAC countries includes official bilateral aid and net contributions to multilateral agencies. Aid given by Communist countries represents deliveries to non-Communist developing countries only. Aid from private sources and military assistance are not included.

Public Education Expenditures include current and capital expenditures for preschool, primary, secondary, and university-level education. Wherever possible, expenditures by all levels of government are covered. Private spending is not included.

Public Health Expenditures represent current expenditures (and wherever possible, capital expenditures) by all levels of government for the provision of medical services. Private spending is not included.

Armed Forces refer to military personnel actually on duty, including paramilitary forces where these forces contribute substantially to a country's military capabilities. Reserve forces are not included.

Developing Countries, 93 in number, are the countries listed under Latin America, the Far East except Japan, South Asia and the Near East, and Africa except the Republic of South Africa, and also include, in Europe, Albania, Bulgaria, Greece, Portugal, Spain, Turkey, and Yugoslavia.

Developed Countries, 27 in number, are the countries listed under North America, Oceania, European NATO except Greece, Portugal, and Turkey, the Warsaw Pact except Bulgaria, and include Austria, Ireland, Finland, Sweden, Switzerland, Japan, and South Africa.

CHRONOLOGICAL LIST OF DOCUMENTS

	Page
ACDA Report on World Military Expenditures, 1969 [Extract]	733
News Conference Remarks by Secretary of State Rogers: Resumption of Talks With the Chinese Communists [Extract], January 22, 1970	1
Statement by the Japanese Government on Signing the Non- proliferation Treaty, February 3, 1970	2
White House Statement on the President's Decision To Renounce Toxins as a Method of Warfare, February 14, 1970	5
Statement by ACDA Director Smith to the Conference of the Committee on Disarmament, February 17, 1970	6
Statement by the Soviet Representative (Roshchin) to the Conference of the Committee on Disarmament, February 17, 1970	13
Foreign Policy Report by President Nixon to the Congress [Extracts], February 18, 1970	20
Statement by the British Minister of State (Chalfont) to the Conference of the Committee on Disarmament, February 19, 1970	33
Joint American-Soviet Communiqué on Peaceful Uses of Nuclear Explosions, February 20, 1970	39
Statement by Secretary of Defense Laird to the Senate Armed Services Committee [Extract], February 20, 1970	40
Statement by the Netherlands Representative (Eschauzier) to the Conference of the Committee on Disarmament: Comprehensive Work Program, February 24, 1970	55
Netherlands Working Paper Submitted to the Conference of the Committee on Disarmament: Steps Toward a Comprehensive Disarmament Program, February 24, 1970	59
Statement by the Mexican Representative (Garcia Robles) to the Conference of the Committee on Disarmament: Nuclear-free Zones, February 26, 1970	63
Statement by ACDA Director Smith to the House Foreign Affairs Committee: Arms Control and Disarmament Act Amendments, February 26, 1970	66
Statement by the Soviet Representative (Roshchin) to the Conference of the Committee on Disarmament: Chemical and Bacteriological Weapons, March 3, 1970	71
Statement by President Nixon on the Entry Into Force of the Treaty on the Non-proliferation of Nuclear Weapons, March 5, 1970 . . .	78
Statement by Premier Kosygin on the Entry Into Force of the Treaty on the Non-proliferation of Nuclear Weapons, March 5, 1970 . . .	80
Statement by Prime Minister Wilson on the Entry Into Force of the Treaty on the Non-proliferation of Nuclear Weapons, March 5, 1970	82
Statement by the Swedish Representative (Myrdal) to the Conference of the Committee on Disarmament: Chemical and Biological Weapons, March 12, 1970	83

	Page
United States Working Paper Submitted to the Conference of the Committee on Disarmament: Chemical Warfare Agents and the Commercial Chemical Industry, March 16, 1970	91
Statement by the Netherlands Representative (Eschauzier) to the Conference of the Committee on Disarmament: Chemical and Biological Warfare, March 17, 1970	93
Statement by the United States Representative (Leonard) to the Conference of the Committee on Disarmament: Chemical and Biological Weapons, March 17, 1970	100
Note From the Soviet Government to Secretary-General Thant: International Exchange of Seismic Data, March 20, 1970	107
News Conference Remarks by President Nixon on Strategic Arms Limitation Talks [Extract], March 21, 1970	107
News Conference Remarks by Secretary of State Rogers on Strategic Arms Limitation [Extract], March 23, 1970.	108
Statement by the Canadian Representative (Ignatieff) to the Conference of the Committee on Disarmament: Chemical and Biological Warfare, March 24, 1970	109
Report by the Senate Foreign Relations Committee on Strategic Arms Limitation Resolution, March 24, 1970	114
Report of the House Foreign Affairs Committee on Arms Control and Disarmament Act Amendments, March 26, 1970	119
Soviet Note to Secretary-General Thant on the Economic and Social Consequences of Disarmament, March 27, 1970	123
Statement by the Soviet Representative (Roshchin) to the Conference of the Committee on Disarmament: Chemical and Bacteriological Weapons, April 2, 1970	124
Senate Resolution 211 on Strategic Arms Limitations, April 9, 1970 ..	132
Statement by the Swedish Representative (Myrdal) to the Conference of the Committee on Disarmament: Chemical and Biological Weapons, April 9, 1970	132
Tripartite Working Paper Submitted to the Conference of the Committee on Disarmament in Connection With the Soviet Draft Convention on the Prohibition of the Development, Production, and Stockpiling of Chemical and Bacteriological (Biological) Weapons and on the Destruction of Such Weapons, April 14, 1970	140
Statement by the Polish Deputy Foreign Minister (Winiewicz) to the Conference of the Committee on Disarmament: Chemical and Biological Weapons, April 14, 1970	141
Statement by the Soviet Representative (Roshchin) to the Conference of the Committee on Disarmament: Chemical and Biological Weapons, April 14, 1970	151
Report of the Senate Foreign Relations Committee on Arms Control and Disarmament Act Amendments, April 14, 1970	154
Address by C.P.S.U. General Secretary Brezhnev at Kharkov [Extract], April 14, 1970	157
German Television Interview With Secretary of State Rogers: European Security and Strategic Arms Limitation Talks [Extract], April 15, 1970	159
Message From President Nixon to ACDA Director Smith on Resumption of Strategic Arms Limitation Talks, April 16, 1970	162
Statement by ACDA Director Smith at the Strategic Arms Limitation Talks, April 16, 1970	162

	Page
Statement by Deputy Foreign Minister Semenov at the Strategic Arms Limitation Talks, April 16, 1970	163
United States Note to Secretary-General Thant on the Economic and Social Consequences of Disarmament, April 17, 1970	164
United States Working Paper Submitted to the Conference of the Committee on Disarmament: Policy on Toxins, April 21, 1970	168
Statement by the United States Representative (Leonard) to the Conference of the Committee on Disarmament: Chemical and Biological Weapons, April 21, 1970	170
Statement by the Soviet Representative (Roshchin) to the Conference of the Committee on Disarmament: Revised Draft Sea-Bed Treaty, April 23, 1970	175
Statement by the United States Representative (Leonard) to the Conference of the Committee on Disarmament: Revised Draft Sea-Bed Treaty, April 23, 1970	181
Revised American-Soviet Draft Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof, April 23, 1970	185
Statement by the United States Representative (Leonard) to the Conference of the Committee on Disarmament: Chemical and Biological Weapons, April 28, 1970	189
Statement by the British Representative (Chalfont) to the Conference of the Committee on Disarmament: Chemical and Biological Weapons, April 30, 1970	190
Statement by the Soviet Representative (Roshchin) to the Conference of the Committee on Disarmament, April 30, 1970	197
Statement by the United States Representative (Leonard) to the Conference of the Committee on Disarmament, April 30, 1970	200
News Conference Remarks by Premier Kosygin [Extract], May 4, 1970	203
News Conference Remarks by President Nixon [Extract], May 8, 1970	204
Statement by Secretary of Defense Laird to the Senate Armed Services Committee: Strategic Balance and Arms Limitation, May 12, 1970	204
Arms Control and Disarmament Act Amendments, May 12, 1970	213
News Conference Remarks by Secretary of State Rogers: Cambodian Incursion and Relations With the Soviet Union [Extract], May 13, 1970	213
Report on Chemical-Biological Warfare by the Subcommittee on National Security and Scientific Developments of the House Committee on Foreign Affairs, May 16, 1970	214
Communique and Declaration of the North Atlantic Council, May 27, 1970	225
Statement by Secretary of State Rogers to the House Foreign Affairs Committee [Extract], June 9, 1970	230
Statement by the Soviet Representative (Roshchin) to the Conference of the Committee on Disarmament, June 16, 1970	232
Statement by the United States Representative (Leonard) to the Conference of the Committee on Disarmament, June 16, 1970	236
Statement by the Japanese Representative (Tanaka) to the Conference of the Committee on Disarmament, June 18, 1970	238

	Page
Statement by the Soviet Representative (Roshchin) to the Conference of the Committee on Disarmament: Chemical and Bacteriological Weapons, June 18, 1970	242
Budapest Communiqué of Warsaw Pact Foreign Ministers [Extract], June 22, 1970	244
Budapest Memorandum of Warsaw Pact Foreign Ministers on European Security, June 22, 1970	245
Statement by the United States Representative (Leonard) to the Conference of the Committee on Disarmament: General and Complete Disarmament, June 23, 1970	248
News Conference Remarks by Secretary of State Rogers on Strategic Arms Limitation Talks [Extract], June 25, 1970	257
Statement by the Canadian Representative (Ignatieff) to the Conference of the Committee on Disarmament: Sea-Bed and Ocean Floor, June 25, 1970	258
Statement by the Swedish Representative (Edelstam) to the Conference of the Committee on Disarmament: Sea-Bed and Ocean Floor, June 25, 1970	266
Italian Paper Submitted to the Conference of the Committee on Disarmament: Suggestions on Possible Group of Experts To Study Control of Chemical Weapons, June 30, 1970	270
United States Working Paper Submitted to the Conference of the Committee on Disarmament: Toxin Amendment to British Draft Convention on Prohibition of Biological Methods of Warfare, June 30, 1970	272
Statement by the Italian Representative (Caracciolo) to the Conference of the Committee on Disarmament: Chemical and Biological Weapons, June 30, 1970	273
Statement by the United States Representative (Leonard) to the Conference of the Committee on Disarmament: Toxin Amendment to British Draft Convention on Biological Weapons, June 30, 1970	276
Statement by the Italian Representative (Caracciolo) to the Conference of the Committee on Disarmament: Comprehensive Program of Disarmament, July 2, 1970	277
Statement by the Argentine Representative (Ortiz de Rozas) to the Conference of the Committee on Disarmament: Revised Draft Sea-Bed Treaty, July 3, 1970	283
Statement by the Mexican Representative (Castañeda) to the Conference of the Committee on Disarmament: Revised Draft Sea-Bed Treaty, July 7, 1970	289
Statement by the Soviet Representative (Roshchin) to the Conference of the Committee on Disarmament: Revised Draft Sea-Bed Treaty, July 7, 1970	294
Statement by the Mexican Representative (Castañeda) to the Conference of the Committee on Disarmament: Sea-Bed and Ocean Floor, July 9, 1970	299
Netherlands Working Paper Submitted to the Conference of the Committee on Disarmament: Radiological Warfare, July 14, 1970	308
Netherlands Working Paper Submitted to the Conference of the Committee on Disarmament: Laser Technology and Arms Control, July 14, 1970	309

	Page
Statement by the Soviet Representative (Roshchin) to the Conference of the Committee on Disarmament: Chemical and Bacteriological Weapons, July 14, 1970	312
Proposed Statement on United States Ratification of Additional Protocol II to the Treaty for the Prohibition of Nuclear Weapons in Latin America, July 16, 1970	317
Report by Secretary of State Rogers to President Nixon: Additional Protocol II to the Treaty for the Prohibition of Nuclear Weapons in Latin America, July 16, 1970	318
United States Working Paper Submitted to the Conference of the Committee on Disarmament: Nerve Agent and Civilian Chemical Production Facilities, July 16, 1970	323
Statement by the United States Representative (Leonard) to the Conference of the Committee on Disarmament: Verification of Agreement on Chemical Weapons, July 16, 1970	326
Statement by the British Representative (Porter) to the Conference of the Committee on Disarmament: Chemical and Biological Warfare, July 16, 1970	328
Mexican Working Paper Submitted to the Conference of the Committee on Disarmament: Draft Sea-Bed Treaty, July 21, 1970 ..	331
Statement by the Swedish Representative (Myrdal) to the Conference of the Committee on Disarmament: Chemical and Biological Weapons, July 21, 1970	333
Statement by the Moroccan Representative (Khattabi) to the Conference of the Committee on Disarmament: Chemical and Bacteriological Weapons, July 28, 1970	338
Moroccan Working Paper Submitted to the Conference of the Committee on Disarmament: Prohibition of the Development, Production, and Stockpiling of Chemical and Bacteriological (Biological) Weapons and on the Destruction of Such Weapons, July 28, 1970	341
British Working Paper Submitted to the Conference of the Committee on Disarmament: Verification of a Comprehensive Test-Ban Treaty, July 28, 1970	342
Nine-Nation Working Paper Submitted to the Conference of the Committee on Disarmament: Revised Draft Sea-Bed Treaty, July 30, 1970	349
News Conference Remarks by President Nixon on the Strategic Arms Limitation Talks [Extracts], July 30, 1970	350
United States Working Paper Submitted to the Conference of the Committee on Disarmament: Seismic Data From Project Rulison, August 4, 1970 ..	351
Statement by the United States Representative (Leonard) to the Conference of the Committee on Disarmament: Comprehensive Test Ban and Seismological Research, August 4, 1970	352
Remarks on Biological Warfare by Dr. Joshua Lederberg to the Conference of the Committee on Disarmament, August 5, 1970 ..	355
Report by the International Atomic Energy Agency to the Secretary-General: Recommendations of the Conference of Non-Nuclear-Weapon States, August 6, 1970	362
Czechoslovak Working Paper Submitted to the Conference of the Committee on Disarmament: Prohibition of the Development, Production, and Stockpiling of Chemical and Bacteriological	

	Page
(Biological) Weapons and on the Destruction of Such Weapons, August 6, 1970	372
Canadian Working Paper Submitted to the Conference of the Com- mittee on Disarmament: Verification of Prohibition of the Development, Production, Stockpiling, and Use of Chemical and Biological Weapons, August 6, 1970	375
Japanese Working Paper Submitted to the Conference of the Com- mittee on Disarmament: Question of the Prohibition of Chemical Weapons, August 6, 1970	379
Yugoslav Working Paper Submitted to the Conference of the Com- mittee on Disarmament: Elements for a System of Control of the Complete Prohibition of Chemical and Biological Weapons, August 6, 1970	382
Soviet Working Paper Submitted to the Conference of the Committee on Disarmament: Complete Prohibition of Chemical and Bac- teriological Weapons, August 6, 1970	385
Additional Italian Working Paper on the Problem of Controls Over Chemical Weapons, August 6, 1970	388
Canadian Working Paper Submitted to the Conference of the Com- mittee on Disarmament: Seismological Capabilities in Detecting and Identifying Underground Nuclear Explosions, August 10, 1970	390
Statement by the Soviet Representative (Roshchin) to the Conference of the Committee on Disarmament: General and Complete Disarmament, August 11, 1970	393
Report by Secretary of State Rogers to President Nixon: Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous, or Other Gases, August 11, 1970	400
Treaty Between the Soviet Union and the Federal Republic of Germany, August 12, 1970	403
Swedish Technical Working Paper Submitted to the Conference of the Committee on Disarmament: Comparison of Two Systems for Verification of a Comprehensive Test Ban, August 12, 1970 ...	404
United States Working Paper Submitted to the Conference of the Committee on Disarmament: Regional Arms Agreements, August 12, 1970	406
Message From President Nixon to the Senate: Additional Protocol II to the Treaty for the Prohibition of Nuclear Weapons in Latin America, August 13, 1970	408
Statement by the Swedish Representative (Myrdal) to the Conference of the Committee on Disarmament, August 13, 1970	409
Statement by the United States Representative (Leonard) to the Conference of the Committee on Disarmament: Conventional Arms Control, August 13, 1970	420
Statement by ACDA Director Smith at the Strategic Arms Limitation Talks, August 14, 1970	426
Statement by Deputy Foreign Minister Semenov at the Strategic Arms Limitation Talks, August 14, 1970	427
American-Soviet Communique on the Strategic Arms Limitation Talks, August 14, 1970	427
British Proposal Submitted to the Conference of the Committee on Disarmament: Revised Draft Convention for the Prohibition of Biological Methods of Warfare, August 18, 1970	428

CHRONOLOGICAL LIST OF DOCUMENTS

763

	Page
British Proposal Submitted to the Conference of the Committee on Disarmament: Revised Draft Security Council Resolution on Biological Warfare, August 18, 1970	431
British Working Paper Submitted to the Conference of the Committee on Disarmament: Verification of Chemical Weapons Arms Control Measures, August 18, 1970	432
Statement by the British Representative (Porter) to the Conference of the Committee on Disarmament: Biological and Chemical Weapons, August 18, 1970	437
Italian Working Paper Submitted to the Conference of the Committee on Disarmament: Comprehensive Program of Disarmament, August 19, 1970	440
Message From President Nixon to the Senate: Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous, or Other Gases, August 19, 1970	445
Report by the International Atomic Energy Agency to Secretary-General Thant: Nuclear Explosions for Peaceful Purposes, August 25, 1970	446
Twelve-Nation Memorandum Submitted to the Conference of the Committee on Disarmament: Chemical and Bacteriological (Biological) Methods of Warfare, August 25, 1970	453
United States Working Paper Submitted to the Conference of the Committee on Disarmament: Economic Data Monitoring as a Means of Verifying Compliance With a Ban on Chemical Weapons, August 25, 1970	455
Tripartite Paper Submitted to the Conference of the Committee on Disarmament: Draft Comprehensive Program of Disarmament, August 27, 1970	459
Statement by the United States Representative (Leonard) to the Conference of the Committee on Disarmament: Chemical and Biological Weapons, August 27, 1970	465
U.A.R. Working Paper Submitted to the Conference of the Committee on Disarmament: Suggestions on Measures of Verification of a Ban on Chemical and Biological Weapons, September 1, 1970 ..	474
Revised American-Soviet Draft Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof, September 1, 1970	475
Statement by the Soviet Representative (Roshchin) to the Conference of the Committee on Disarmament: Revised Draft Sea-Bed Treaty, September 1, 1970	480
Statement by the United States Representative (Leonard) to the Conference of the Committee on Disarmament: Revised Draft Sea-Bed Treaty, September 1, 1970	485
Statement by the Soviet Representative (Roshchin) to the Conference of the Committee on Disarmament: Chemical and Bacteriological Weapons, September 2, 1970	489
Statement by the Soviet Representative (Roshchin) to the Conference of the Committee on Disarmament, September 3, 1970	496
Report of the Conference of the Committee on Disarmament to the General Assembly and the Disarmament Commission, September 3, 1970	500
Statement by Assistant Secretary of State Meyer to the Senate Foreign	

	Page
Relations Committee: Additional Protocol II to the Tlatelolco Treaty, September 22, 1970	516
Statement by ACDA Assistant Director Leonard to the Senate Foreign Relations Committee [Extracts]: Additional Protocol II to the Tlatelolco Treaty, September 22, 1970	519
ACDA Statement to the Senate Foreign Relations Committee: Additional Protocol II to the Tlatelolco Treaty and the Non-Use of Nuclear Weapons, September 22, 1970	524
ACDA Statement to the Senate Foreign Relations Committee: Additional Protocol II to the Tlatelolco Treaty and the Right of Transit, September 22, 1970	525
Letter From Admiral Moorer to Senator Fulbright on Additional Protocol II to the Tlatelolco Treaty, September 22, 1970	527
Address by Foreign Minister Gromyko to the General Assembly [Extract], October 21, 1970	527
Address by President Nixon to the General Assembly [Extract], October 23, 1970	529
Revised Communist Draft Convention Submitted to the General Assembly: Prohibition of the Development, Production, and Stockpiling of Chemical and Bacteriological (Biological) Weapons and the Destruction of Such Weapons, October 23, 1970	533
Statement by the Soviet Representative (Roshchin) to the First Committee of the General Assembly, November 2, 1970	537
Statement by the United States Representative (Yost) to the First Committee of the General Assembly, November 2, 1970	549
Statement by the Mexican Representative (Garcia Robles) to the First Committee of the General Assembly: Draft Sea-Bed Treaty, November 2, 1970	555
Statement by Deputy Foreign Minister Semenov at the Strategic Arms Limitation Talks, November 2, 1970	556
Statement by ACDA Director Smith at the Strategic Arms Limitation Talks, November 2, 1970	557
Thirty-four Power Draft Resolution Introduced in the First Committee of the General Assembly: Draft Sea-Bed Treaty, November 6, 1970	558
British Draft Resolution Introduced in the First Committee of the General Assembly: Chemical and Bacteriological (Biological) Weapons, November 6, 1970	559
Tripartite Draft Resolution Introduced in the First Committee of the General Assembly: Chemical and Bacteriological (Biological) Weapons, November 9, 1970	561
Statement by the French Representative (Mattei) to the First Committee of the General Assembly, November 9, 1970	563
Peruvian Amendments to the Thirty-four Power Draft Resolution on the Sea-Bed Treaty, November 10, 1970	568
Statement by the Romanian Representative (Diaconescu) to the First Committee of the General Assembly, November 11, 1970	570
Philippine Draft Resolution introduced in the Second Committee of the General Assembly: Economic and Social Consequences of Disarmament, November 12, 1970	578
Statement by the Mexican Representative (Garcia Robles) to the First Committee of the General Assembly: Additional Protocol II to the Treaty for the Prohibition of Nuclear Weapons in Latin America, November 12, 1970	579

CHRONOLOGICAL LIST OF DOCUMENTS

765

	Page
Statement by the United States Representative (Leonard) to the First Committee of the General Assembly, November 16, 1970	585
Statement by the Soviet Representative (Roshchin) to the First Committee of the General Assembly, November 16, 1970	591
Statement by the Peruvian Representative (Arias Schreiber) to the First Committee of the General Assembly: Draft Sea-Bed Treaty, November 17, 1970	597
Statement by the Mexican Representative (Garcia Robles) to the First Committee of the General Assembly: Draft Sea-Bed Treaty, November 17, 1970	602
Statement by the Soviet Representative (Roshchin) to the First Committee of the General Assembly: Peruvian Amendments to Draft Sea-Bed Treaty, November 17, 1970	606
Statement by the Mexican Representative (Garcia Robles): First Peruvian Amendment to Thirty-four Power Draft Resolution on Sea-Bed Treaty, November 17, 1970	607
Statement by the United States Representative (Leonard) to the First Committee of the General Assembly: Mexican Revision of First Peruvian Amendment to Thirty-four Power Draft Resolution on Sea-Bed Treaty, November 17, 1970	608
Statement by the Peruvian Representative (Arias Schreiber) to the First Committee of the General Assembly: Mexican Revision of First Peruvian Amendment to Thirty-four Power Draft Resolution on Sea-Bed Treaty, November 17, 1970	609
Statement by the Soviet Representative (Roshchin) to the First Committee of the General Assembly: Mexican Revision of First Peruvian Amendment to Thirty-four Power Draft Resolution on Sea-Bed Treaty, November 17, 1970	609
Statement by the United States Representative (Leonard) to the First Committee of the General Assembly: Peruvian Amendments to Draft Sea-Bed Treaty, November 18, 1970	610
Statement by the United States Representative (Leonard) to the First Committee of the General Assembly: Additional Protocol II to the Tlatelolco Treaty, November 18, 1970	611
Six-Power Draft Resolution Introduced in the First Committee of the General Assembly: Comprehensive Program of Disarmament, November 18, 1970	611
Statement by the Soviet Representative (Roshchin) to the First Committee of the General Assembly: Additional Protocol II to the Tlatelolco Treaty, November 18, 1970	612
Twenty-four Power Draft Resolution Introduced in the First Committee of the General Assembly: Economic and Social Consequences of the Armaments Race and Its Extremely Harmful Effect on World Peace and Security, November 18, 1970	613
Statement by the Canadian Representative (Ignatieff) to the First Committee of the General Assembly: International Exchange of Seismic Data, November 18, 1970	615
Statement by the Soviet Representative (Roshchin) to the First Committee of the General Assembly: Suspension of Nuclear Tests, November 18, 1970	617
Statement by the United States Representative (Leonard) to the First Committee of the General Assembly: Suspension of Nuclear Tests, November 18, 1970	618
Statement by the Philippine Representative (Brillantes) to the Second	

	Page
Committee of the General Assembly: Economic and Social Consequences of Disarmament [Summary], November 18, 1970	619
Statement by the British Representative (Porter) to the First Committee of the General Assembly: Chemical and Biological Weapons, November 19, 1970	620
Statement by the Polish Representative (Jaroszek) to the First Committee of the General Assembly: Chemical and Bacteriological Weapons, November 19, 1970	622
Statement by the Yugoslav Representative (Božinović) to the First Committee of the General Assembly: Chemical and Biological Weapons, November 19, 1970	626
Statement by the French Representative (de la Gorce) to the First Committee of the General Assembly: Chemical and Bacteriological Weapons, November 19, 1970	628
Statement by the United States Representative (Leonard) to the First Committee of the General Assembly: Chemical and Bacteriological Weapons, November 19, 1970	630
Statement by the Soviet Representative (Roshchin) to the First Committee of the General Assembly: Chemical and Bacteriological Weapons, November 19, 1970	632
Statement by the Romanian Representative (Diaconescu) to the First Committee of the General Assembly: Economic and Social Consequences of the Armaments Race, November 19, 1970	633
Statement by the United States Representative (Leonard) to the First Committee of the General Assembly: Economic and Social Consequences of the Armaments Race, November 19, 1970	635
Statement by the Soviet Representative (Zakharov) to the Second Committee of the General Assembly: Economic and Social Consequences of Disarmament [Summary], November 19, 1970	635
Statement by the United States Representative (Olds) to the Second Committee of the General Assembly: Economic and Social Consequences of Disarmament [Summary], November 19, 1970	637
Statement by the Philippine Representative (Brillantes) to the Second Committee of the General Assembly: Economic and Social Consequences of Disarmament [Summary], November 19, 1970	638
Statement by the United States Representative (Olds) to the Second Committee of the General Assembly: Economic and Social Consequences of Disarmament [Summary], November 19, 1970	640
Statement by the Mexican Representative (Garcia Robles) to the First Committee of the General Assembly: Comprehensive Program of Disarmament, November 20, 1970	642
Revised Maltese Draft Resolution Introduced in the First Committee of the General Assembly: New Techniques of Uranium Enrichment, November 23, 1970	644
Statement by the United States Representative (Leonard) to the First Committee of the General Assembly: Peaceful Nuclear Explosion Services, November 25, 1970	645
Statement by the Indian Representative (Jain) to the First Committee of the General Assembly: Peaceful Nuclear Explosion Services, November 25, 1970	646
Statement by the Soviet Representative (Roshchin) to the First Committee of the General Assembly: Peaceful Nuclear Explosion Services, November 25, 1970	647

CHRONOLOGICAL LIST OF DOCUMENTS

767

Page

Statement by the Maltese Representative (Pardo) to the First Committee of the General Assembly: New Techniques of Uranium Enrichment, November 25, 1970	649
Statement by the Soviet Representative (Roshchin) to the First Committee of the General Assembly: Cessation of Nuclear Arms Race, November 30, 1970	651
Statement by the United States Representative (Leonard) to the First Committee of the General Assembly: Cessation of Nuclear Arms Race, November 30, 1970	652
Statement by the United States Representative (Leonard) to the First Committee of the General Assembly: New Techniques of Uranium Enrichment, November 30, 1970	653
Six-Power Paper Submitted to the General Assembly: Comprehensive Program of Disarmament, December 1, 1970	653
Statement by the Yugoslav Representative (Božinovic) to the First Committee of the General Assembly: Comprehensive Program of Disarmament, December 3, 1970	659
Statement by the Soviet Representative (Roshchin) to the First Committee of the General Assembly: Comprehensive Program of Disarmament, December 3, 1970	665
Statement by the United States Representative (Leonard) to the First Committee of the General Assembly: Comprehensive Program of Disarmament, December 3, 1970	666
Statement by the French Representative (de la Gorce) to the First Committee of the General Assembly: Comprehensive Program of Disarmament, December 3, 1970	666
North Atlantic Council Communique, December 4, 1970	667
Draft Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof, December 4, 1970	676
General Assembly Resolution 2660: Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof, December 7, 1970	680
General Assembly Resolution 2661 (XXV): General and Complete Disarmament, December 7, 1970	681
General Assembly Resolution 2662 (XXV): Question of Chemical and Bacteriological (Biological) Weapons, December 7, 1970	683
General Assembly Resolution 2663 (XXV): Urgent Need for Suspension of Nuclear and Thermonuclear Tests, December 7, 1970 ..	685
General Assembly Resolution 2664 (XXV): Implementation of the Results of the Conference of Non-Nuclear-Weapon States, December 7, 1970	687
General Assembly Resolution 2665 (XXV): Establishment, Within the Framework of the International Atomic Energy Agency, of an International Service for Nuclear Explosions for Peaceful Purposes Under Appropriate International Control, December 7, 1970	689
General Assembly Resolution 2666 (XXV): Status of Implementation of General Assembly Resolution on Additional Protocol II to the Treaty for the Prohibition of Nuclear Weapons in Latin America, December 7, 1970	689

	Page
General Assembly Resolution 2667 (XXV): Economic and Social Consequences of the Armaments Race and Its Extremely Harmful Effects on World Peace and Security, December 7, 1970	691
News Conference Remarks by President Nixon [Extract], December 10, 1970	693
General Assembly Resolution 2685 (XXV): Economic and Social Consequences of Disarmament, December 11, 1970	693
Interview Between Edgar Snow and Premier Chou En-lai [Extracts], December 13, 1970	695
Interview of ACDA Director Smith With <i>U.S. News and World Report</i> : Strategic Arms Limitation Talks, December 14, 1970	696
General Assembly Resolution 2749 (XXV): Declaration of Principles Governing the Sea-Bed and the Ocean Floor, and the Subsoil Thereof, Beyond the Limits of National Jurisdiction, December 17, 1970	698
American-Soviet Communique on Strategic Arms Limitation Talks, December 18, 1970	701
News Conference Remarks by Secretary of State Rogers: Strategic Arms Limitation Talks [Extract], December 23, 1970	702
ACDA Report on World Military Expenditures, 1970 [Extract]	746
Tenth Annual Report of the United States Arms Control and Disarmament Agency, January 27, 1971	702

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¹⁵ Printed ante, p. 132.

¹⁶ Printed ante, pp. 114-119.

¹⁷ Excerpts printed ante, pp. 511-521.

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United Nations Materials

General

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Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor Beyond the Limits of National Jurisdiction

Summary records of meetings of the Committee and its working groups, as well as documents of the Committee and working groups, exist in mimeographed form. The report of the Committee has been printed as *General Assembly Official Records: Twenty-fifth Session, Supplement No. 21* (A/7622).

Committee on the Peaceful Uses of Outer Space

Verbatim records of meetings exist in mimeographed form. Summary reports of the Legal Subcommittee meetings are also mimeographed. The

report of the Committee appears as *General Assembly Official Records: Twenty-fifth Session, Supplement No. 20*.

Disarmament Commission

Verbatim records of meetings are printed in the *Disarmament Commission Official Records*. CCD reports issued during January 1 to December 31, 1969 have been published as *Disarmament Commission Official Records: Supplement for 1969*.

Economic and Social Council

Summary records of meetings are published in the *Economic and Social Council Official Records*. The 1970 report to the General Assembly, covering the period August 9, 1969 to July 31, 1970, has been printed as *General Assembly Official Records: Twenty-fifth Session, Supplement No. 3*. A guide to the proceedings and documentation of the forty-eighth session (Mar. 23-Apr. 3, May 11-28, 1970) is provided by the *Index to Proceedings of the Economic and Social Council—Forty-eighth Session—1970* (Sales no. E.71.I.7) and that for the forty-ninth session (July 6-31, Oct. 9, 19, Nov. 11-13, Dec. 1, 1970) by the *Index for the Forty-ninth Session—1970* (Sales no. E.71.I.9).

Conference of the Committee on Disarmament
(formerly Eighteen Nation Disarmament Committee)

Verbatim records of meetings of the plenary committee, the Committee of the Whole, and the Subcommittee on a Treaty for the Discontinuance of Nuclear Weapon Tests of the Eighteen Nation Disarmament Committee exist in mimeographed form. Documents and verbatim records of meetings of the Conference of the Committee on Disarmament, dating from August 26, 1969, also exist in mimeographed form. The report of the Committee for the period February 17 to September 3, 1970, issued as A/8059-DC/233, is reprinted *ante*, pp. 500-516.

General Assembly

Verbatim records of plenary meetings and summary records of committee meetings are published in the *General Assembly Official Records*. The texts of resolutions adopted by the General Assembly during its twenty-fifth session (September 15-December 17, 1970), have been published in *General Assembly Official Records: Twenty-fifth Session, Supplement No. 28* (A/8028). Agenda items of interest of the 25th General Assembly are numbers 27, 28, 29, 30, 31, 93, 94.

Secretary-General

The annual report of the Secretary-General on the work of the organization for the period June 16, 1969-June 15, 1970, has been published as *General Assembly Official Records: Twenty-fifth Session, Supplement No. 1* (A/8001) and *No. 1A* (A/8001/Add.1). Excerpts from the writings and speeches of Secretary-General U Thant on major world issues during 1961-1970 have been published in *Portfolio for Peace* (Sales no.: E.70.I.24).

Security Council

Verbatim records of meetings are published in the *Security Council Official Records*. A bibliographical guide to the proceedings and documentation of the Security Council in its 25th year is provided by *The Index to the Proceedings of the Security Council—Twenty-fifth Year—1970* (Sales no.

E.71.1). Matters considered or brought to the attention of the Security Council in 1970 included the question concerning ratification of the Treaty on the Nonproliferation of Nuclear Weapons. The annual report of the Security Council to the General Assembly for the period July 16, 1968-July 15, 1969 is printed in General Assembly *Official Records: Twenty-fourth Session, Supplement No. 2*.

World Health Organization

The report of a WHO group of consultants, *Health Aspects of Chemical and Biological Weapons* has been published as a paperback book.¹⁸

¹⁸ Inquiries may be addressed to World Health Organization, Distribution and Sales Unit, Geneva, Switzerland.

LIST OF PERSONS

- Abe, Isao.* Japanese Ambassador, Deputy Permanent Representative to the United Nations; leader of the delegation to the CCD, Feb.-Apr., 1970.
- Abel, I.W.* President, United Steel Workers of America; member, General Advisory Committee, U.S. Arms Control and Disarmament Agency, 1969- .
- Acheson, Dean.* U.S. Secretary of State, 1949-1953.
- Adams, Emery J.* Deputy Executive Director, U.S. Arms Control and Disarmament Agency, 1963- .
- Alekseyev, N.N.* U.S.S.R. Deputy Minister of Defense; member, Soviet SALT Delegation, 1970- .
- Allison, Maj. Gen. Royal, USAF.* Deputy Chairman, Joint Chiefs of Staff Special Studies Group, 1964- ; member, U.S. SALT delegation, 1969- .
- de Araujo Castro, João Augusto.* Brazilian Ambassador, leader of the delegation to the ENDC, 1963-1964, Jan.-Mar., 1968; Permanent Representative to the United Nations, 1968- .
- Arias Schreiber, Alfonso.* Peruvian Director of Sovereignty and Frontiers, 1970- .
- Asakai, Koichiro.* Leader of the Japanese delegation to the CCD, 1969.
- Barnett, Doak.* Specialist on Far Eastern Affairs; Senior Fellow, Brookings Institution; member, Social Science Advisory Board, U.S. Arms Control and Disarmament Agency, 1970- .
- Basham, P.W.* Member, Canadian Seismological Service.
- Benhima, Ahmed Taibi.* Ambassador, Permanent Representative of the Kingdom of Morocco to the United Nations; leader of the delegation to the CCD, 1969-1970.
- Bergson, Abram.* Professor of Economics, Harvard University, 1956- ; member, Social Science Advisory Board, U.S. Arms Control and Disarmament Agency, 1966- .
- Bölling, Klaus.* U.S. correspondent for the German Television Network, ARD.
- von Borch, Herbert.* Washington correspondent for the *Sueddeutsche Zeitung*, Munich.
- Božinović, Milorad.* Deputy leader of the Yugoslav delegation to the CCD, 1969- .
- Brandt, Willy.* Vice-Chancellor and Foreign Minister, Federal Republic of Germany, 1966-69; Chancellor, 1969- .
- Brezhnev, Leonid Ilyich.* General Secretary, Central Committee, Communist Party of the Soviet Union, 1964- .
- Brillantes, Hortencio J.* Philippine Permanent Representative to the United Nations at Geneva, 1967- .
- Brooke, Edward W.* U.S. Senator (Rep., Mass.), 1966- .
- Brown, Dr. Harold.* Director, Defense Research and Engineering 1961-1965; Secretary of the Air Force, 1965-1968; President, California Institute of Technology, 1969- ; member, U.S. SALT delegation, 1969- ; member, General Advisory Committee, U.S. Arms Control and Disarmament Agency, 1969- .
- Capron, William M.* Associate Dean, John F. Kennedy School of Government, Harvard University; member, Social Science Advisory Board, U.S. Arms Control and Disarmament Agency, 1968-1971.
- Caracciolo, Roberto.* Italian Ambassador, leader of the delegation to the CCD, 1967- .
- Casey, William J.* American attorney; member, General Advisory Committee, U.S. Arms Control and Disarmament Agency, 1969- .

- Castañeda, Dr. Jorge.* Mexican Ambassador, Permanent Representative to the United Nations office at Geneva; member of the delegation to the CCD, 1967, 1969- .
- Ceausescu, Nicolae.* General Secretary, Central Committee, Romanian Communist Party; President, State Council, Socialist Republic of Romania, 1967- .
- Chalfont, Lord.* British Disarmament Minister, 1965-1967; leader of the delegation to the ENDC, 1965-1967, 1969-1970.
- Chou En-lai.* Premier, People's Republic of China, 1958- .
- Christopher, Albert M.* Deputy Assistant Director, Bureau of Economic Affairs, U.S. Arms Control and Disarmament Agency, 1970-1971; Special Assistant to the Director, 1971- .
- Christov, Kroum.* Bulgarian Ambassador, leader of the delegation to the CCD, 1967- .
- Clark, Robert.* ABC News correspondent.
- Cooper, John Sherman.* U.S. Senator (Rep., Ky.), 1956- ; member, Foreign Relations Committee.
- Datcu, Ion.* Romanian Ambassador, Permanent Representative to the United Nations Office at Geneva, leader of the delegation to the CCD, 1970- .
- Davies, Dr. David.* Rapporteur for SIPRI Seismic Study Group, 1968- .
- Davison, W. Phillips.* Professor of Journalism and Sociology, Columbia University; member, Social Science Advisory Board, U.S. Arms Control and Disarmament Agency, 1969-1971.
- Day, Arthur R.* Deputy Assistant Director, International Relations Bureau, U.S. Arms Control and Disarmament Agency, 1969- .
- Diaconescu, Gheorghe.* Romanian Permanent Representative to the United Nations, 1966- .
- Dillon, C. Douglas.* Under Secretary of State, 1959-1960; Secretary of the Treasury, 1960-1965; member, General Advisory Committee, U.S. Arms Control and Disarmament Agency, 1969, 1970.
- Dugersuren, Mangalyn.* Mongolian Ambassador, leader of the delegation to the CCD, 1969- ; Permanent Representative to the United Nations.
- Dyson, Freeman.* American physicist; Professor, Institute for Advanced Study, Princeton, 1953- .
- Edelstam, Axel.* Deputy leader of the Swedish delegation to the CCD, 1967-1971.
- Eklund, Dr. Sigvard.* IAEA Director-General, 1961- .
- El Fassi, Nacer.* Ambassador, Permanent Representative of the Kingdom of Morocco to the United Nations Office at Geneva, 1970- .
- Ellsworth, Robert.* Ambassador, U.S. Representative on the North Atlantic Council, 1969-1971.
- Epstein, William.* Deputy Special Representative of the U.N. Secretary-General to the ENDC; Director, Disarmament Affairs Division, Department of Political and Security Council Affairs, 1969- ; Chairman, Secretary-General's Group of Consultant Experts on Chemical and Bacteriological (Biological) Weapons, 1969.
- Erdembileg, Dugersurengiin.* Mongolian Ambassador, Deputy leader and leader of the delegation to the CCD, 1970- .
- Eschauzier, Henri F.* Netherlands Ambassador, leader of the delegation to the CCD, 1969- .
- Farley, Philip J.* Deputy Assistant Secretary of State for Politico-Military Affairs, 1967-1969; Alternate Chairman of U.S. delegation to SALT 1969- ; Deputy Director, U.S. Arms Control and Disarmament Agency, 1969- .
- Fisher, Adrian S.* Deputy Director, U.S. Arms Control and Disarmament Agency, 1961-1969; Dean, Georgetown University School of Law, 1969- .
- Poster, William C.* Director, U.S. Arms Control and Disarmament Agency 1961-1968; member, General Advisory Committee, U.S. Arms Control and Disarmament Agency, 1969- .

Frank, Jerome D. Professor of Psychiatry, The Johns Hopkins University School of Medicine; member, Social Science Advisory Board, U.S. Arms Control and Disarmament Agency, 1970- .

Freeman, Fulton. U.S. Ambassador to Mexico, 1964-1969.

Fulbright, J. William. U.S. Senator (Dem., Ark.), 1945- ; Chairman, Senate Foreign Relations Committee.

Furnas, Howard. Special Assistant to the Director and Executive Secretary, U.S. Arms Control and Disarmament Agency, 1969-1971.

Galindo Pohl, Dr. Reynaldo. Permanent Representative of El Salvador to the United Nations, 1967- .

García Robles, Alfonso. Mexican Under Secretary for Foreign Affairs, 1964- ; Ambassador, head of delegation to the United Nations, 1965- ; leader of CCD delegation, 1969- .

Gomulka, Wladyslaw. First Secretary, Central Committee, Polish United Workers Party, 1959-1970.

Goodpaster, Gen. Andrew. U.S. Allied Commander in Europe, 1969- .

de la Gorce, François. French Deputy Permanent Representative to the United Nations, 1970- .

Gordon, Kermit. President, Brookings Institution, 1967- ; member, General Advisory Committee, U.S. Arms Control and Disarmament Agency, 1969- .

Graybeal, Sidney N. Deputy Assistant Director, Science and Technology Bureau, U.S. Arms Control and Disarmament Agency, 1964- .

Grinevskiy, O.A. Deputy Chief, International Organization, Soviet Ministry of Foreign Affairs; participant in U.S.-Soviet technical discussions on peaceful uses of nuclear explosions, April 1969; member, Soviet delegation to the ENDC, 1962-1963, 1966-1968; member, Soviet SALT delegation, 1969- .

Gromyko, Andrei A. Soviet Minister of Foreign Affairs, 1957- .

Guetzkow, Harold. Fulcher Professor of Decision-Making at Northwestern University; member, Social Science Advisory Board, U.S. Arms Control and Disarmament Agency, 1970- .

Halliday, R.J. Canadian seismologist, member of the Canadian Seismological Service.

Hancock, William W. General Counsel, U.S. Arms Control and Disarmament Agency, 1969- .

Harmel, Pierre. Belgian Prime Minister, 1965-1966; Foreign Minister, 1966- .

Hartley, Antony. Editor, *Interplay Magazine*.

Heath, Edward. British Prime Minister, 1970- .

Helms, Richard. Director, Central Intelligence Agency, 1966- .

Hoebel, E. Adamson. Professor of Anthropology, University of Minnesota; member, Social Advisory Board, U.S. Arms Control and Disarmament Agency, 1969- .

Hsieh, Alice Langley. China specialist, Institute for Defense Analyses; member, Social Science Advisory Board, U.S. Arms Control and Disarmament Agency, 1964-1969.

Humphrey, Hubert. U.S. Vice President, 1964-1968; Senator (Dem., Minn.), 1970- .

Husain, M.A. Indian Ambassador to Switzerland; leader of the delegation to the ENDC-CCD, 1968-1970.

Ignatieff, George. Canadian Ambassador, Permanent Representative to the CCD, leader of the delegation, 1969- .

Ilyinsky, M. *Izvestia* News correspondent.

Jain, K.P. Member of the Indian delegation to the ENDC and CCD, 1961- .

Janowitz, Morris. Professor of Sociology, University of Chicago; member, Social Science Advisory Board, U.S. Arms Control and Disarmament Agency, 1964- .

Jaroszek, Henryk. Polish Ambassador, leader of the delegation to the ENDC-CCD, 1968, 1969.

- Johnson, Lyndon B.* President of the United States, 1963-1969.
- Kaufmann, William W.* American political economist; professor, Massachusetts Institute of Technology, 1961- .
- Keeny, Spurgeon M.* Assistant Director, Science and Technology Bureau, U.S. Arms Control and Disarmament Agency, 1969- .
- Khallaf, Dr. Hussein.* U.A.R. Ambassador and leader of the delegation to the SMDCC-CCD, 1966- ; representative and Vice President, Conference of Non-Nuclear-Weapon States, 1968.
- Khattabi, Mohamed Al Arbi.* Deputy Permanent Representative of the Kingdom of Morocco to the United Nations Office at Geneva; member, delegation to the CCD, 1969- .
- Khorana, Hargobind.* Indian geneticist. Winner of Nobel Prize, 1968.
- Killian, James R.* Special Assistant to the President for Science and Technology, 1957-1959; Chairman of the Corporation of Massachusetts Institute of Technology, 1959- ; member, General Advisory Committee, U.S. Arms Control and Disarmament Agency, 1969- .
- Kirchschlaeger, Rudolf.* Austrian Minister of Foreign Affairs 1970- .
- Kissinger, Henry A.* Professor of Government, Harvard University, 1962-1969; Special Assistant to the President for National Security Affairs, 1969- .
- Körmives, Imre.* Hungarian Ambassador, leader of delegation to the CCD, 1970- .
- Kosygin, Alexei.* Chairman of the U.S.S.R. Council of Ministers 1964- .
- Kutakov, L.N.* Under Secretary-General for Political and Security Council Affairs, United Nations, 1968- .
- Laird, Melvin.* Member, U.S. House of Representatives (Rep., Wis.), 1953-1969; Secretary of Defense, 1969- .
- Lederberg, Dr. Joshua.* Recipient of Nobel Prize in physiology and medicine, for research genetics of bacteria, 1958; Professor of Genetics and Biology, Stanford University, 1959- .
- Lee, V. Adm. John M., USN.* Assistant Director, Weapons Evaluation and Control Bureau, U.S. Arms Control and Disarmament Agency, 1970- .
- Leonard, James F.* Assistant Director, International Relations Bureau, U.S. Arms Control and Disarmament Agency, 1969- ; Ambassador, alternate representative, U.S. delegation to the CCD, 1969- .
- Leskinen, Vaino.* Finnish Minister of Foreign Affairs, 1970- .
- Loewe, L.* Correspondent for the West German radio network, Westdeutscher Rundfunk.
- Lothian, Lord.* British Parliamentary Under Secretary of State for Foreign and Commonwealth Affairs, 1970- ; leader of the delegation to the CCD, July 1970- .
- Macomber, William B.* Assistant Secretary of State for Congressional Relations, 1957-1961, 1967-1969; Deputy Under Secretary of State for Administration, 1969- .
- Mattei, André.* French Chief of Pacts and Disarmament Service, 1969- .
- McDonald, Gordon.* Vice-Chancellor for Research and Graduate Affairs, University of California at Santa Barbara, Professor of Physics and Professor of Geology, 1968- .
- McCarthy, Richard.* Member, U.S. House of Representatives (Dem., N.Y.), 1965-1970.
- McCloy, John J.* Chairman, General Advisory Committee, U.S. Arms Control and Disarmament Agency, 1962- .
- McNamara, Robert S.* Secretary of Defense, 1961-1967; President of International Bank for Reconstruction and Development, 1967- .
- Mendlovitz, Saul H.* Member, World Law Fund, New York; member, Social Science Advisory Board, U.S. Arms Control and Disarmament Agency, 1970- .
- Menter, Sanford.* Executive Director, U.S. Arms Control and Disarmament Agency, 1970- .

- Menzel, Rolf.* Washington correspondent, German radio and television.
- Meyer, Charles A.* Assistant Secretary of State for Inter-American Affairs, 1969- .
- Mitchell, John.* U.S. Attorney General, 1969- .
- Moorer, Adm. Thomas H., USN.* Chief of Naval Operations 1967-1970; Chairman, Joint Chiefs of Staff, 1970- .
- Morgan, Thomas.* U.S. Representative (Dem., Penn.), 1945- ; Chairman, Committee on Foreign Affairs.
- Morokhov, I.D.* First Deputy Chairman of Soviet State Committee on Atomic Energy; participant in U.S.-Soviet technical discussions on peaceful uses of nuclear explosions, 1969 and 1970.
- Mosely, Philip.* Professor of International Relations and Director of the European Institute, Columbia University; member, Social Science Advisory Board, U.S. Arms Control and Disarmament Agency, 1964-1971; Chairman, Social Science Advisory Board, 1968-1971.
- Mulley, Frederick W.* British Minister of State for Foreign Affairs, and Minister for Disarmament, 1967-1969; leader of the delegation to the ENDC and CCD, 1967-1969; Minister of Transport, October 1969- .
- Myrdal, Alva.* Swedish Ambassador; leader of delegation to the ENDC and CCD, 1962- ; Minister without portfolio, in charge of disarmament, 1966- .
- Natorf, Wlodzimierz.* Ambassador, Permanent Representative of Poland to the United Nations Office at Geneva; leader of the delegation to the CCD, 1970- .
- Nitze, Paul H.* Deputy Secretary of Defense, 1967-1969; member, U.S. SALT delegation, 1969- .
- Nixon, Richard M.* Vice President of the United States, 1952-1960; President 1969- .
- Nordness, Nedville E.* Public Affairs Adviser, U.S. Arms Control and Disarmament Agency, 1962- .
- Norstad, Gen. Lauris, USAF (ret.).* Supreme Allied Commander Europe, 1956-1963; chairman of the board and president, Owens-Corning Fiberglass Corporation, 1967- ; member, General Advisory Committee, U.S. Arms Control and Disarmament Agency, 1969- .
- Ogarkov, Col. Gen. N.V.* First Deputy Chief of the General Staff, Soviet Armed Forces; member, Soviet SALT delegation, 1969-1970.
- Osds, Glenn A.* Ambassador, alternate U.S. representative to the United Nations, 1969-1970.
- Ortiz de Rozas, Dr. Carlos.* Ambassador of the Argentine Republic in Austria; leader of the delegation to the CCD, 1970- .
- Packard, David.* Deputy Secretary of Defense, 1969- .
- Palme, Olaf.* Prime Minister, Sweden, 1969- .
- Panofsky, W.K.H.* Director, Stanford Linear Accelerator Center, 1961- .
- Pardo, Arvid.* Maltese Ambassador, Permanent Representative to the United Nations, 1965- .
- Parsons, J. Graham.* Member, U.S. SALT delegation, 1970- .
- Pechel, Peter.* Editor-in-Chief, Radio Free Berlin.
- Petrov, Ten'v.* Bulgarian Ambassador, Permanent Representative to the United Nations Office at Geneva; deputy leader of the delegation to the CCD, 1970- .
- Pleshakov, P.S.* USSR Deputy Minister of the radio industry; member, Soviet SALT delegation, 1969- .
- Podgorny, Nicolai V.* Chairman, Presidium, U.S.S.R. Supreme Soviet, 1964- .
- Porter, Ivor F.* British Ambassador, deputy leader, U.K. delegation to the ENDC, 1968; alternate leader of the delegation to the CCD, 1969-1970.
- Protitch, Dragoslav.* Special Representative of the U.N. Secretary-General to the ENDC and CCD, 1964-1970.

- Richardson, Elliot L.* Lieutenant Governor of Massachusetts, 1964-1969; Under Secretary of State, 1969-1970; Secretary of Health, Education, and Welfare, 1970- .
- Rogers, William P.* U.S. Attorney General, 1957-1961; Secretary of State, 1969- .
- Roshchin, Alexey A.* Member, Soviet ENDC delegation, 1962; Ambassador and leader of the delegation to the ENDC and CCD, 1966- .
- Roth, Helmut.* Ambassador, Federal Commissioner for Disarmament, Federal Republic of Germany, 1969- .
- Royama, Michio.* Staff director, International House of Japan.
- Ruina, Jack.* Professor of Electrical Engineering, Massachusetts Institute of Technology, 1963- ; director, Advanced Research Projects Agency, Department of Defense, 1961-1963; member, General Advisory Committee, U.S. Arms Control and Disarmament Agency, 1969- .
- Rusk, Dean.* Secretary of State, 1961-1969; member, General Advisory Committee, U.S. Arms Control and Disarmament Agency, 1969- .
- Saeki, Kiichi.* Director, Nomura General Research Institute of Japan.
- Saraiva Guerreiro, Ramiro E.* Brazilian Ambassador, Permanent Representative to the United Nations Office at Geneva; leader of the delegation to the CCD, 1970- .
- Scalapino, Robert A.* Professor of Political Science, University of California, 1956- .
- Scali, John.* ABC News correspondent.
- Schaetzel, Robert.* Ambassador, U.S. Representative to the European Communities, 1966- .
- Scheel, Walter.* Vice-Chancellor, Federal Republic of Germany and Foreign Minister, 1969- .
- Scranton, William W.* Governor of Pennsylvania, 1963-1967; member, General Advisory Committee, U.S. Arms Control and Disarmament Agency, 1969- .
- Semyonov, Vladimir S.* Deputy Foreign Minister of the U.S.S.R.; leader, Soviet SALT delegation, 1969- .
- Shchukin, A.N.* Member, Soviet SALT delegation, 1969- .
- Shulman, Marshall.* Director, Russian Institute, Columbia University, 1967- .
- Sihanouk, Prince Norodom.* Cambodian Chief of State, 1960-1970.
- Smith, Gerard C.* Special Assistant to the Secretary of State for Atomic Affairs, 1954-1957; Assistant Secretary of State, Director of the Policy Planning Staff, 1957-1961; foreign policy consultant, Washington Center for Foreign Policy Research, 1961-1968; Director, U.S. Arms Control and Disarmament Agency, 1969- ; head of U.S. SALT delegation, 1969- .
- Smith, Ralph Stuart.* Deputy Public Affairs Adviser, U.S. Arms Control and Disarmament Agency, 1966- .
- Snow, Edgar.* American writer and lecturer.
- Stewart, Michael.* British Secretary of State for Foreign and Commonwealth Affairs, 1968-1970.
- Sule Koto, Alhaji.* Nigerian Ambassador and leader of the delegation to the ENDC-CCD, 1967-1970.
- Tanaka, Hiroto.* Japanese Ambassador, leader of the delegation to the CCD, 1970- .
- Thant, U.* Secretary General of the United Nations, 1962- .
- Thompson, T.J.* Commissioner of the U.S. Atomic Energy Commission; participant in U.S.-Soviet technical discussions on peaceful uses of nuclear explosions, 1970.
- Thompson, Llewellyn E.* U.S. Ambassador to the Soviet Union, 1957-1962; 1966-1969; member, SALT delegation 1969- .
- Vance, Cyrus R.* Deputy Secretary of Defense, 1964-1967; member, General Advisory Committee, U.S. Arms Control and Disarmament Agency, 1969- .

- Van Doren, Charles.* Deputy General Counsel, U.S. Arms Control and Disarmament Agency, 1962- .
- Vratusa, Anton.* Yugoslav Deputy Secretary of State for Foreign Affairs, 1969- ; leader of the delegation to the CCD, 1969- .
- Wade, Robert H.B.* Assistant Director, Bureau of Economic Affairs, U.S. Arms Control and Disarmament Agency, 1969- .
- Waldheim, Kurt.* Permanent Austrian Representative to the United Nations, 1964-1968; Federal Minister of Foreign Affairs, 1968-1970.
- Weiler, Lawrence D.* Special Assistant to the Deputy Director, U.S. Arms Control and Disarmament Agency, 1964-1969; Counselor, U.S. Arms Control and Disarmament Agency, 1969- .
- Werner, Christian.* Correspondent, Radio Free Berlin.
- Wheeler, John A.* Professor of Physics, Princeton University; member, General Advisory Committee, U.S. Arms Control and Disarmament Agency, 1969- .
- Whitham, Dr. Kenneth.* Canadian seismologist; member of seismic study group of the Stockholm International Peace Research Institute, 1968.
- Wilson, Harold.* British Prime Minister, 1964-1970.
- Winiewicz, Joseph.* Polish Vice Minister of Foreign Affairs, 1956- .
- Yahya Khan, General Agha Muhammed.* President of Pakistan and Chief Martial Law Administrator, 1969- .
- York, Herbert F.* Director, Defense Research and Engineering, Department of Defense, 1958-1961; professor of physics, University of California at San Diego, 1961- ; member, General Advisory Committee, U.S. Arms Control and Disarmament Agency, 1962-1968.
- Yost, Charles.* U.S. Ambassador to the United Nations, 1969-1970.
- Zakharov, Alexei V.* Soviet Deputy Permanent Representative to the United Nations, 1967- .
- Zelleke, Afework.* Deputy Permanent Representative of Ethiopia to the United Nations Office in Geneva; member of the delegation to the ENDC and CCD, 1966-1970.
- Zybylski, Kazimierz.* Deputy Permanent Representative of Poland to the United Nations Office at Geneva; leader of the delegation to the CCD, 1969 (second session), Deputy Head of the delegation, 1970.

INDEX

- Abe, Isao, cited, 98, 125
- ACDA. *See* Arms Control and Disarmament Agency, U.S.
- Agreements. *See* Treaties, proposed, *also* locate under substantive part of title
- Aircraft, military (*see also* Bombers, Missiles and missile systems and Nuclear delivery vehicles):
Chinese Communist capability, U.S. views re, 44-48
Soviet capability, U.S. views re, 41, 43, 206
- Alaskan Long Period Seismic Array (ALPA). *See* under Research: Seismic
- Allied military and nuclear forces. *See* under North Atlantic Treaty Organization
- ALPA. Alaskan Long Period Seismic Array.
- Antiballistic missiles (ABM) and systems. *See* under Missiles and missile systems
- de Araujo Castro, João Augusto, cited, 73
- Argentina, draft sea-bed treaty, revised, statement re, 283-289
- Arias Schreiber, Alfonso, 597-601, 609
- Armaments (*see also* Missiles and missile systems; Nuclear delivery vehicles; and Nuclear weapons), conventional:
Build-up of, U.S. remarks re, 20-21, 41-43, 204-213, 422
CCD report, 510, 513
Control of—
ACDA report, 705, 707, 718-719, 724-725
Views re, Dutch, 62; French, 565; U.S., 201, 230, 420-426, 471
Elimination of—
Six-power paper, 656-657
Tripartite paper, 463
Views and comments re, French, 565; Italian, 443; U.S., 251, 407-408, 424-425
North Atlantic Council Communique, 674-675
Six-power paper, 653-658
Transfer of—
ACDA report, 718-720
Views and remarks re, Dutch, 57, 60; Italian, 441, 443-445; Japanese, 238; Mexican, 291; Romanian, 570-577; Soviet, 18, 81, 120, 157-158, 175, 200, 235, 399, 527, 538, 548, 557, 595, 636, 665; U.K., 34, 82; U.S., 20, 201, 230, 248, 249, 250, 252, 255, 256, 351, 406-408, 420-424, 553, 656-658, 674-675
- Armed forces (*see also* Control of reduction of armaments and armed forces; and Strategic Forces: Limitation and Reduction), reduction of and withdrawal from foreign territory
ACDA report, 720-722
Budapest memorandum, 247
North Atlantic Council communiqués, 228-229, 667-676
Six-power paper, 655, 657
Tripartite paper, 461-464
Views re, F.R.G., 160; Italian, 443; Soviet, 398, 399, 400; U.S., 29, 166, 231, 252, 423
- Arms control. *See* Control of reduction of armaments and armed forces
- Arms Control and Disarmament Act:
ACDA statement, 66-71
Amendment to, text, 213
House Foreign Affairs Committee, U.S., report on amendments to, 119-123
Senate Foreign Relations Committee, U.S., report on amendments to, 154-157
- Arms agreements, regional (*see also* Armaments, conventional:

- Control; Control of reduction of armaments and armed forces: Regional; *and* Conference of Committee on Disarmament: Nuclear weapons--Fissionable materials cut-off *and* Limitation):
- Arms Control and Disarmament Agency, U.S. (ACDA):
- Achievements, 703-729
 - Appropriations to, 120-122, 123, 154-155, 156-157, 213
 - Arms control inspection, 727
 - CCD, statements to, 6-13, 100-106, 170-174, 181-184, 189-190, 200-203, 236-238, 248-257, 276-277, 326-328, 353-355, 420-426, 465-474, 485-489
 - Function, 703-706 724-727
 - General Advisory Committee, 729-731
 - House Foreign Affairs Committee, U.S., statement to, 66-71
 - International negotiations, preparation for, 725-726
 - Officials, 732-733
 - Organization, 724
 - Policy formulation, 724-725
 - Presidential, U.S., messages to, 162, 703
 - Public information, 727-729
 - Report, annual, 703-733
 - Research planning and activities, 69, 705, 713, 727-728
 - SALT, 704; statements to, 162-163, 557-558
 - Senate Foreign Relations Committee, U.S., statements to, 519-524, 524-525, 525-527
 - World military expenditures, reports re: 1969, 733-746; 1970, 746-757
- Arms race nuclear (*see also* Armaments, conventional: Build-up and Control; and Nuclear weapons: Nonproliferation):
- Acceleration of--
 - ACDA report, 706-707, 718
 - Senate Foreign Relations Committee, U.S., report, 118
 - Tripartite paper, 459-460
 - Twenty-four power draft resolution, 613-614
 - Views and statements re, Communist Chinese, 695-696; Czechoslovak, 374; FRG, 161; French, 564-568; Japanese, 3; Romanian, 570-577; Soviet, 14-15, 123-124, 157-158, 235, 395, 398, 538-539, 548; U.K., 33; U.S., 70, 200-205, 236, 421, 532, 696-697
 - Control over, U.S. views re, 7, 11, 12, 115, 164, 201, 204, 217, 252, 254, 256, 351, 420-426, 631, 696-697
 - Limitation or halting of--
 - ACDA report, 704, 714, 719-720, 721
 - CCD report, 504, 508, 510, 513
 - General Assembly, U.N., resolution (2667 (XXV)), 691-692
 - House Foreign Affairs Committee, U.S. report, 121
 - North Atlantic Council communiqué, 226-227
 - Senate Foreign Relations Committee, U.S., report, 114, 118-119
 - U.S.-Soviet communiqué, joint, 427-428, 701
 - Views and statements re, Communist Chinese, 695-696; Dutch, 56, 60, 61; French, 564; Italian, 278, 282, 441, 443-444; Japanese, 238; Mexican, 579, 604; Peruvian, 597, 598; Romanian, 634; Soviet, 14, 17, 80, 81, 157, 158, 163, 199, 200, 235, 399, 400, 427, 527-528, 548, 557, 593, 595, 635-636, 665; U.K., 82; U.S., 8, 12, 114, 202, 212, 236, 248-249, 250, 252, 255, 402, 420-426, 551, 558, 589, 641; Yugoslav, 664
 - Arms transfers. *See* Armaments, conventional *and* Nuclear weapons
 - Asia, military situation in, U.S. views, 32, 48

- Atomic Energy Act, U.S. comments re, 522
- Atomic Energy Agency, International (IAEA):
 - Board of Governors, composition of, IAEA report, 371-372
 - Conference of Non-Nuclear Weapon States, recommendations of, report on, to Secretary-General, U.N., 362-372
 - Exchange of information, equipment and materials, international, 363, 366
 - Financial funding of, 367-370
 - Fund of special fissionable materials, 371
 - International services for nuclear explosions for peaceful purposes of—
 - Swedish views re, 417
 - Tripartite paper, 463
 - Nuclear explosions for peaceful purposes, report on, to Secretary-General, U.N., 446-453
 - Nuclear Information System, International (INIS), 365
 - Program of technical assistance, 367, 369
 - Safeguards system—
 - IAEA report, 364-365
 - Statements and comments re, Japanese, 4-5, 239, 240; U.K., 36; U.S., 12, 24
- Atomic energy, peaceful uses of—
 - Education, training and scientific research re, IAEA report, 450
 - Exchange of information re, IAEA report, 450, 451
 - Financial assistance for, IAEA report, 367-370
 - IAEA report, 446-453
 - IAEA role, Working Group suggestions re, 447-449
 - International services for nuclear explosions for peaceful purposes—
 - General Assembly, U.N., resolution (2665 (XXV)), 689
 - Swedish comments re, 417-418
 - Nuclear information, dissemination of, IAEA report, 365-366, 447, 449
- Safeguards, international, IAEA report, 363
- Technical assistance for, IAEA report, 363, 367-370, 450
- U.N. Development Programme (UNDP(SF)), IAEA report, 363, 370
- U.S.-Soviet communiqué, joint, 39-40
- Views, comments and statements re, Canadian, 453; Ethiopian, 452; Iranian, 453; Japanese, 4-5; Mexican, 452; New Zealander, 452; Spanish, 452; Swedish, 415, 416-417; U.K., 36; U.S., 322
- Atomic energy plants. *See* Nuclear power reactors
- Atomic power and weapons. *See* Nuclear headings
- Atomic radiation. *See* Radiological warfare
- Balance of power. *See* Nuclear deterrence
- Bacteriological weapons. *See under* Chemical and bacteriological (biological) weapons
- Bases, military. *See* Military bases
- Benhima, Ahmed Taibi, cited 339
- Berlin, situation in, North Atlantic Council communiqués, 225, 227, 668
- Biochemical weapons. *See* Chemical and bacteriological (biological) weapons
- Bombers:
 - Soviet capabilities, U.S. views re, 43, 206, 210
 - U.S. capabilities, proposed, U.S. views re, 47, 52, 55, 206, 697, 701
- Božinović, Milorad, 626-628, 659-664; cited 194
- Brezhnev, Leonid, 157-158
- Brillantes, Hortencio J., 619-620, 638-640
- Cambodia, situation in, views re, Soviet, 203; U.S., 213, 230
- Canada:
 - Chemical and biological warfare, statement re, 109-114; verification of prohibitions on use, development, produc-

Canada—Continued

- tion, and stockpiling of, working paper on, 375-379
- Exchange of seismic data, international, statement re, 615-617
- Sea-bed and ocean floor, statement re, 258-266
- Underground nuclear explosions, seismological capabilities in detecting and identifying, working paper on, 390-393
- Caracciolo, Roberto, 273-276, 277-282
- Castañeda, Dr. Jorge, 289-294, 299-308
- CCD. *See* Conference of Committee on Disarmament
- Ceausescu, Nicolae, cited, 571
- Chalfont, Lord, 33-39, 190-197; cited, 84, 131, 146, 201, 280
- Chemical and bacteriological (biological) weapons:
 - Bacteriological (biological) weapons, sole consideration of—ACDA report, 711
 - Draft convention re biological warfare, revised, U.K., 428-431
 - Security Council resolution, draft, revised, U.K., 431-432
 - House, U.S., CBW report, 221
 - Lederberg scientific statement re, 355-362
 - Toxins (*see under* Chemical weapons, consideration of, *infra*)
 - Views, statements and remarks re, Czechoslovak, 374; Dutch, 94, 96-98; Moroccan, 340; Polish, 143, 145, 146; Soviet, 75, 128, 490-491, 493, 494; Swedish, 85-87, 89, 135, 136, 138, 337; U.K., 195-196, 329, 622; U.S., 9, 10, 101-103, 106, 171, 173-174, 201, 224, 402, 466, 467
- Chemical weapons, sole consideration of—
 - ACDA report, 712
 - Adamsite gas (DM), House, U.S., CBW report, 216

CCD report, 504-510

- Defoliants, views re, Dutch, 95; Soviet, 72, 491; U.S., 218
- Economic data monitoring for verification purposes, U.S. working paper re, 455-459
- Herbicides, statements re, Dutch, 95; Soviet, 198, 491; Swedish, 86, 88; U.S., 218-219, 224, 402
- House, U.S., CBW report, 215
- Nerve gas, statements re, Italian, 272; Japanese, 380-381; Swedish, 88; U.K., 192, 435; U.S., 92, 93, 172, 224, 328, 456, 469
- Tear gas—
 - House, U.S., CBW report, 215, 218, 223, 224
 - Views re, Canadian, 113; Dutch, 96; Italian, 272; Soviet, 72, 131; Swedish, 84, 88; U.K., 38, 39; U.S., 224, 470
- Toxins—
 - ACDA report, 711
 - Amendment to U.K. draft convention, U.S., working paper, 272-273; views re, 276-277
 - CCD report, 507
 - Policy on, U.S. working paper re, 168-170; Soviet views re, 313
 - Views, statements and remarks re, Canadian, 112-113; Czechoslovak, 373-374; Dutch, 94; Italian, 272-273, 275-276; Japanese, 380; Moroccan, 340; Soviet, 74, 313, 529, 632; Swedish, 88; U.K., 191-192, 328-329; U.S., 5-6, 10, 31, 189-190, 201, 237, 276, 552
- Verification of arms control measures on, U.K. working paper re, 432-436
- Views and statements re, Canadian, 112, 376, 378-379; Dutch, 94-95; Italian, 270-272, 275; Japanese, 379-383; Moroccan,

- 340; Polish, 145; Soviet, 125, 126-127, 242, 312, 387, 491-492, 494, 544; Swedish, 88-89, 91, 137; U.K., 438; U.S., 9, 10, 30, 91-92, 101-102, 104, 71-172, 214-225, 237, 326-328, 465, 467-468, 471, 552
- Cessation of production, development and use of—
 ACDA report, 712
 CCD report, 505
 Communist draft convention, 533-537
 Twelve-nation memorandum, 453-455; remarks re, Soviet, 489-490, 496, 632-633; U.K., 621-622; U.S., 590, 630-632; Yugoslav, 627
- Views and statements re,
 Canadian, 109-114, 378; Czechoslovak, 374; French, 628; Italian, 274; Polish, 148, 625; Soviet, 73-75, 125-128, 150, 152, 197, 386, 543; Swedish, 84, 87, 91, 133; U.S., 100-106, 465, 468, 473; Yugoslav, 628
- Control of—
 ACDA report, 704, 712-714
 CCD report, 504-505
 Twelve-nation memorandum, 454-459
- Views and comments re,
 Canadian, 378; French, 629-630; Italian, 270-272, 274, 388-390; Moroccan, 340; Soviet, 75-76, 233, 314; Swedish, 139, 338; U.K., 432-436, 438; U.S., 100-106, 458; Yugoslav, 383-385
- Draft conventions, declarations, memorandum and resolutions re—
 Communist, on prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and the destruction of such weapons, text, 533-537
 Toxin amendment, U.S., to U.K. draft convention, U.S. working paper re, 272-273; U.S. views re, 276-277
- Tripartite, on chemical and bacteriological (biological) weapons, text, 561-563
- Twelve-nation, on chemical and bacteriological (biological) warfare, 453-455; remarks re, Polish, 624, 625; Soviet, 489-490, 496, 632-633; U.K., 621-622; U.S., 550, 630-632; Yugoslav, 627
- U.K., on biological warfare, draft Security Council resolution, revised, 431-432; on chemical and bacteriological (biological) weapons, 559-561; on prohibition of biological methods of warfare, revised, 428-431
- General Assembly, U.N., resolution (2662 (XXV)) on question of chemical and bacteriological (biological) weapons, text, 683-685
- Effects and nature of, Lederberg scientific remarks re, 355-362
- Elimination and/or prohibition of—
 ACDA report, 712
 CCD report, 504-510
 Communist draft convention, 533-535
 Tripartite draft resolution, 561-563
 Twelve-nation memorandum, 453-454
- Views, statements and remarks re, Canadian, 109-114, 259, 375-379; Dutch, 57, 93-99; French, 567-568, 628-630; Italian, 270-272, 275-276, 388-390; Japanese, 240, 379-382; Mexican, 644; Moroccan, 338-341, 341-342; Polish, 141-150, 622-626; Soviet, 14-16, 19, 71-78, 124-131, 151-153, 197-198, 234-235, 242-244, 312-317, 385-388, 489-496, 498, 543, 544, 593-594, 632-633; Swedish, 83-86,

Chemical and bacteriological (biological) weapons:—Continued

87, 90-91, 132-140, 333-338; U.K., 37-38, 190-197, 328-331, 437-440, 559-561, 620-622; U.S., 9-10, 30-31, 91-93, 100-106, 170-174, 189-190, 200-201, 214-225, 237, 323-326, 326-328, 455-459, 465-474, 551-553, 590, 630-632; Yugoslav, 382-285, 626-628

House Committee on Foreign Affairs, U.S., Subcommittee on National Security and Scientific Development of, report, 214-255

Military importance, views re, Czechoslovak, 373; Polish, 145, 625; Soviet, 74, 128, 198, 491, 546; U.S., 91, 171-172, 471

Production facilities, civilian, U.S. remarks re, 92, 323-326

Research and development of—

ACDA report, 713

Statements and views re, Canadian, 110, 113-114; Polish, 142; Soviet, 127, 493; Swedish, 86, 135, 138, 337; U.S., 190, 327; Yugoslav, 384

Stockpiling, question of—

ACDA report, 713

CCD report, 505, 507, 508

Communist draft convention, 533-537

House, U.S., CBW report, 222, 224

Tripartite resolution, 562

Twelve-nation memorandum, 453-454

Views and statements re, Canadian, 109, 100, 259, 375-376, 379; Czechoslovak, 372; Dutch, 57, 98; French, 567-568, 628; Italian, 270, 274, 388-390; Japanese, 240, 379; Mexican, 644; Moroccan, 338, 340, 342; Polish, 150, 624; Romanian, 571; Soviet, 15, 78, 125, 128, 130, 152, 198,

244, 312, 315, 385, 388, 490, 543; Swedish, 83, 84, 85, 90, 133, 135; U.S., 237, 326, 465, 468, 469, 471, 473, 552; Yugoslav, 382

Transfer of or use of for peaceful purposes—

ACDA report, 712

CCD report, 507

Communist draft convention, 534-535

Views and comments re, Canadian, 112, 377; Italian, 272; Japanese, 381; Moroccan, 340; Polish, 148-149; Soviet, 76-77, 129-130, 153, 387; Swedish, 86, 88, 136-137, 335; U.S., 91-93, 105, 190, 323, 326, 330, 470; Yugoslav, 384

China, Communist:

Strategic arms limitation talks, statement re, 695-696

Chou En-lai, 695-696

Christov Kroum, cited, 153

Conference of Committee on Disarmament (CCD):

CCD report, 500-516

Chemical and bacteriological (biological) warfare—

Effects of, Lederberg scientific views re, 355-362

Draft convention and proposal, U.K., re, texts, 428-431, 431-432

Views and statements re, Canadian, 109-114; Dutch, 93-100; U.K., 328-331; U.S., 91-93, 630-632

Tripartite paper re Soviet draft convention on prohibition and destruction of, 140

Twelve-nation memorandum re, 453-455

Views, statements and working paper re, Canadian, 375-379; Italian, 270-272, 273-276, 388-390; Japanese, 379-382; Moroccan, 338-341, 341-342; Polish, 141-150; Soviet, 71-78, 124-131, 151-153, 242-244, 312-317, 385-388, 489-496;

- Swedish, 83-91, 132-140, 333-338; U.A.R., 474-475; U.K., 190-197, 432-436, 437-440; U.S., 100-106, 170-174, 189-190, 326-328, 455-459, 465-474; Yugoslav, 382-385
- Comprehensive test ban (*see also* Underground nuclear tests), consideration of, statements and views re, Canadian, 261-263; Dutch, 56, 60; Japanese, 238; Swedish, 333, 404-406, 409-420; U.K., 36, 342-349; U.S., 238, 255, 352-355, 533
- Comprehensive work program for, Dutch statement re, 55-58
- Disarmament—
- Comprehensive program for, tripartite paper re, 459-465
 - General and complete, statements and comments re, Canadian, 260; Dutch, 56, 59, 60-62, 63; Italian, 277-282, 440-445; Polish, 149; Soviet, 18-19, 81, 157-158, 199, 235, 393-400, 498-499; U.K., 190; U.S., 202, 237, 248-257, 425
 - Nuclear, remarks and opinions re, Italian, 444; Mexican, 291; Soviet, 14, 19, 399; Swedish, 411; U.S., 12, 237
- Laser technology and arms control, Dutch working paper re, 309-312
- Nonproliferation Treaty, statements and views re, Canadian, 261, 262; Japanese, 239; Mexican, 291, 293; Polish, 268; Soviet, 14, 19, 80-81, 158, 483; Swedish, 136, 267, 336, 415-419; U.K., 35, 36, 82-83; U.S., 70, 78-80, 108, 119, 252, 254, 318, 321-322, 472, 488
- Nuclear explosions (*see also* Nuclear explosions, consideration of), peaceful, views re, Swedish, 415-416, 418; U.K., 36
- Nuclear weapons—
- Fissionable materials cut-off, views re, Dutch, 57, 61; Italian, 444; Japanese, 239; U.S., 12, 202, 238
 - Limitation of, comments re, Soviet, 14; Swedish, 413-414; U.S., 11
 - Nonproliferation of, views re, Soviet, 14; Swedish, 413-414; U.S., 11
- Proposals, memoranda, messages, statements and working papers to, Argentine, 283-289; Canadian, 109-114, 258-266, 375-379, 390-393; Czechoslovak, 372-374; Dutch, 55-58, 59-63, 93-100, 308-309, 309-312; Italian, 270-272, 273-276, 277-282, 388-390, 440-445; Japanese, 238-241, 379-382; Mexican, 63-66, 289-294, 299-308, 331-333; Moroccan, 338-341, 341-342; Polish, 141-150; Soviet, 13-20, 71-78, 124-131, 151-153, 175-180, 197-200, 232-236, 242-244, 294-298, 312-317, 335-388, 393-400, 480-485, 489-496, 496-500; Swedish, 83-91, 132-140, 266-270, 333-338, 404-406, 409-420; U.A.R., 474-475; U.K., 33-39, 190-197, 328-331, 342-349, 428-431, 432-436, 437-440; U.S., 6-13, 91-93, 100-106, 168-170, 170-174, 181-184, 189-190, 200-203, 236-238, 248-257, 272-273, 276-277, 323-326, 326-328, 351-352, 352-355, 406-408, 420-426, 455-459, 465-474, 485-489; Yugoslav, 382-385
- Radiological warfare, Dutch working paper re, 308-309; views re, Soviet, 499; Swedish, 418-419
- Sea-bed and ocean floor, consideration of—
- Arms race on, prevention of, opinions re, Mexican, 290, 299, 304, 307; Soviet, 484;

Conference of Committee on Disarmament (CCD):—Continued

- Swedish, 267; U.S., 183, 488
- Demilitarization of, views re, Mexican, 289-290, 293, 307; Soviet, 17, 180, 297, 480-481, 484; Swedish, 267
- Denuclearization of, views re, Mexican, 290-292
- Peaceful use of, comments re, Mexican, 299; Soviet, 296; U.S., 9
- Sea-bed treaty, draft, consideration of—
- CCD report, 510-512
- Continental shelf rights of, comments re, Argentine, 285; Mexican, 303, 305, 306; Soviet, 178, 481
- Control of, international, views and comments re, Argentine, 285; Mexican, 293-294; Soviet, 177, 294-296, 485
- Geneva Convention re, views re, Mexican, 300, 302-303, 305-306; Soviet, 179; U.S., 182
- Inspection, remarks re, Argentine, 286; Mexican, 293, 304-305, 307; Soviet, 177; Swedish, 269-270
- Nine-nation working paper re, 331-333
- Remarks and comments re, Argentine, 283-289; Canadian, 258, 260, 262; Mexican, 289-294, 299-308, 331-333; Soviet, 16, 17-18, 19, 81, 175, 179-180, 198-199, 233-234, 294-298, 480; Swedish, 266-270; U.S., 9, 70, 181-184, 201-202, 236-237, 254
- Seismic data exchange—
- CCD report, 503
- Statements and views re, Canadian, 263, 264-265, 390-393; Dutch, 56-57, 60-61; Japanese, 239; Swedish, 411-412; U.K., 36, 342-349; U.S., 11, 202, 351-352, 352-355

Underground nuclear tests, consideration of—

- Tripartite paper, 463
- Views re, Canadian, 262, 390-393; Japanese, 239; Soviet, 107, 199; U.S., 11, 70
- Conference of Non-Nuclear States: IAEA report, 362-372
- Implementation of results of—
- General Assembly, U.N., resolution (2664 (XXV)), 687-689
- Statements re, Dutch, 57; Mexican, 64, 581
- Congress, U.S. *See* House of Representatives, U.S., *and* Senate, U.S.
- Control of atomic energy for peaceful purposes. *See* Atomic Energy Agency, International: Safeguards system
- Control of reduction of armaments and armed forces (*see also* Arms agreements, regional: Conference of Committee on Disarmament; Nuclear weapons—Fissionable materials cut-off *and* Limitation; *and* Strategic forces; Control *and* Limitation and reduction):
- ACDA report, 703-725, 728
- North Atlantic Council communiqué, 228, 229, 667, 670
- Regional, views re, U.K., 37; U.S., 12, 32, 249-250, 406-408, 422-424, 425
- Six-power paper, 657
- Tripartite paper, 460, 463, 464
- Views and comments re, Dutch, 61; Italian, 443, 444, 445, Romanian, 634; Swedish, 267; U.K., 34-35; U.S., 7, 32, 164, 184, 420-426, 518-519, 549
- Czechoslovakia, working paper re chemical and bacteriological (biological) weapons, 372-374
- Defense budgets (*see also* Arms Control and Disarmament Agency: World military expenditures *and* Military appropriations, budgets, and expenditures):

- North Atlantic Council communiqué, 671-672
- U.S. statement re, 21-27
- Denuclearized zones:
 - ACDA report, 705
 - CCD report, 502-512
 - Latin America: *See under* Latin American Denuclearization Treaty
 - Sea-bed treaty, draft, views re, French, 567; Dutch, 57; Italian, 444; Mexican, 63-66, 290-292; Soviet, 176, 180, 199, 233, 542, 584, 591-592, 605; U.S., 183, 320, 586
- "Detente" (*see also* International tension, relaxation of)
 - Budapest communiqué, 244, 247
 - North Atlantic Council communiqué, 671-674
- Diaconescu, Gheorghe, 570-577, 633-634
- Disarmament:
 - Control, international (*see also* Arms agreements, regional; Arms race: Control and limitation; Control of reduction of armaments and armed forces; Nuclear weapons: Control and Limitation and reduction; Strategic arms limitation talks; and Strategic forces: Limitation):
 - CCD report, 512-515
 - Six-power draft resolution, text, 611-612
 - Tripartite paper, 459-465
 - Views re, Soviet, 398-399; U.S., 12, 67-68, 253, 425
 - Economic and social consequences of, statements and views re, Philippine 578-579; 619-620, 638-640; Romanian, 570-577, 633-634; Soviet, 123-124, 635-637; U.S., 635, 637-638
 - General and complete—
 - CCD report, 512-515
 - General Assembly, U.N., resolution (2561 (XXV)), 681-683
 - Six-power draft resolution, text, 611-612
 - Tripartite paper, text, 459-465
 - Views, opinions and statements re, Canadian, 260; Dutch, 56, 59-63; French, 564-566, 666-667; Italian, 277-282, 440-445; Japanese, 238-239, 240, 241; Mexican, 642-644; Philippine, 578-579; Polish, 149; Romanian, 570-577, 634; Soviet, 18-19, 81, 157-158, 199, 235, 393-400, 498-499, 528, 537-538, 540-549, 595-596, 635-637, 665-666; U.K., 190; U.S., 25, 202, 237, 248-257, 425, 532, 588-590, 666; Yugoslav, 659-664
- Nuclear—
 - Tripartite paper, 459, 460, 463
 - Views, statements and comments re, Dutch, 60; Italian, 442, 443; Japanese, 2; Soviet, 14, 157-158, 175, 199, 397, 398; Swedish, 136; U.S., 1, 231, 253, 394, 420, 425, 590
- "Disarmament Decade" comments and statements re, Canadian, 262; Dutch, 56, 57, 60-61, 63; French, 564; Japanese, 238, 241; Mexican, 644; Philippine, 639; Romanian, 577; U.K., 33, 36, 37; U.S., 7, 106, 251, 425, 589; Yugoslav, 663
- Earthquakes, techniques for distinguishing between underground explosions and (*see also* Research: Seismic), views re, Swedish, 413; U.K., 342-346, 347
- East-West relations:
 - North Atlantic Council communiqués, 226, 228, 668-671, 673
 - Statements re, Japanese, 247; U.S., 32, 232
- Ecology. *See* Environment, consideration of
- Economic and social consequences of:
 - Defense expenditures—
 - ACDA report, 722-723

- Economic and social consequences of:—Continued
Statements and views re, Mexican, 555; Soviet, 538; U.S., 166
- Disarmament—
ACDA report, 724-725
Views and statements re, Philippine, 578-579; 619-620; Romanian, 570-577, 633-634; Soviet 123-124, 635-637; U.S., 164-168, 635, 637-640
- Edelstam, Axel, 266-270
- ENDC. Eighteen Nation Disarmament Committee (name has been changed)(see also Conference of Committee on Disarmament), U.S. comments re, 255, 256
- Environment, consideration of:
North Atlantic Council communiqué, 670
Twelve-nation memorandum, 453
Views and opinions re, Dutch, 95; Peruvian, 597-598; U.S., 165
- Eschauzier, Henri F., 55-63, 93-100; cited, 330
- EURATOM. See European Atomic Energy Community
- Europe:
All-Europe Conference—
ACDA report, 721
Budapest communiqué, 244-245; memorandum, 245-248
Frontiers or boundaries of—
Soviet-FRG Treaty, 403-404
Soviet remarks re, 157
Nuclear free zone in, Polish views re, 150
Peaceful coexistence in—
North Atlantic Council communiqué, 246, 247
Soviet-FRG Treaty, 403
Views re, Soviet, 157
Reduction of forces in—
ACDA report, 720
Budapest memorandum, 245-248
North Atlantic Council communiqués, 228, 229, 667, 670, 674, 675
- Security of—
ACDA report, 721-722
Budapest communiqué, 244-247
CCD report, 512
North Atlantic Council communiqués, 225, 227-228, 671-672, 674, 675
Soviet-FRG Treaty, 403
Views and comments re, Polish, 150; Soviet, 203, 396, 497; U.S., 159-161, 231
Tension in, relaxation of—
Budapest communiqué, 246
North Atlantic Council communiqués, 226, 673
Soviet-FRG Treaty, 403
Views re, U.S., 157
- European Atomic Energy Community (EURATOM):
ACDA report, 715-716
Federal Republic of Germany-Soviet Treaty, text, 403-404:
North Atlantic Council communiqués, 226-227, 668
U.S. views re, 160-161
Fisher, Adrian, cited, 12, 645
- Fissionable materials:
Cut-off of production, comments and views re, Dutch, 57, 61; Italian, 444; Japanese, 238, 239; U.S., 12, 202, 255, 472
- Fund of special—
IAEA report, 371
- Foster, William C., cited, 423, 425, 645
- France:
Chemical and bacteriological weapons, statement re, 628-630
Disarmament, general and complete, statement re, 563-568; comprehensive program for, statement re, 666-667
Freedom of the high seas, statements and views re, Argentine, 285; Mexican, 299-305; Swedish, 270; Soviet, 481; U.S., 183
- García Rebles:
Cited, 71
Remarks and statements re—
Disarmament, comprehensive program for, 642-644

- Latin American Denuclearization Treaty, Additional Protocol II to, 579-585
 Nuclear free zones, 63-66
 Sea-bed treaty, draft, 555-556, 607-608
 General purposes forces, U.S. views re, 26
 Geneva Convention on the Territorial Sea and the Contiguous Zone (1958), statements re, Argentine, 286-287; Mexican, 300, 302-303, 305-306; Peruvian, 570, 599, 600; Soviet, 178-180, 540-541; U.S., 182, 487
 Geneva Protocol of 1925 prohibiting chemical and bacteriological (biological) weapons:
 ACDA report, 712
 CCD report, 509
 Secretary of State, U.S., report on, 400-402
 Tripartite draft resolution, text, 561-563
 Twelve-nation memorandum, 454
 U.K. draft resolution, text, 559-561
 Views and statements re, Canadian, 110, 259; Czechoslovak, 373; Dutch, 94, 95; French, 567; Italian, 275; Japanese, 240; Polish, 142-143, 622; Soviet, 16, 72, 125, 126, 130-131, 198, 242-244, 315-316, 386, 387, 492, 495, 529, 543, 594; U.K., 38-39, 621; U.S., 30, 106, 214, 219-222, 224, 254, 400-402, 445-446, 487
 Germany, Federal Republic of:
 Soviet-FRG Treaty, text, 403-404
 Gomulka, Wladyslaw, cited, 149
 de la Gorce, François, 628-630, 666-667
 Gromyko, Andrei A., 527-529
 High seas, freedom of, *See* Freedom of the high seas
 House of Representatives, U.S. (*see also* Senate, U.S.):
 Foreign Affairs Committee, U.S.:
 ACDA statement to, 66-71
 Arms Control and Disarmament Act amendments, report of, on, 119-123
 National Security and Scientific Developments, Subcommittee on, of, report on chemical and biological warfare, 214-225
 Secretary of State, U.S., report to 230-232
 Husain, M.A., cited, 73, 127
 IAEA. *See* Atomic Energy Agency International
 Ignatieff, George, 109-114, 258-266, 615-617
 India:
 Peaceful nuclear explosion services, statement re, 646-649
 Inspection:
 Atomic energy for peaceful purposes. *See* Atomic energy, peaceful uses of: Safeguards, international
 Disarmament, international inspection and control of. *See* Control of reduction of armaments and armed forces
 Intercontinental ballistic missile systems (ICBM). *See under* Missiles and missile systems
 International Nuclear Information System (INIS):
 IAEA report, 365-366
 Views re, Indian, 647; Soviet, 648
 International security, strengthening of:
 ACDA report, 704, 706
 Budapest communiqué, 244
 CCD report, 513
 North Atlantic Council communiqué, 227
 Six-power paper, 655, 658
 Soviet-FRG Treaty, 403
 Tripartite paper, 461, 464
 Twelve-nation memorandum, 453
 Views and statements re, Italian, 441; Japanese, 241; Romanian, 577; Soviet, 232, 236, 295, 395-396, 427, 537, 548, 557, 593, 596; U.S., 251, 256, 425, 426

International tension, relaxation of
(*see also* "Detente"):

ACDA report, 706

Comments and views re, Canadian, 260; Italian, 442; Japanese, 241; Moroccan, 339; Polish, 150; Romanian, 576; Soviet, 123, 232, 497, 539, 557, 636; U.S., 80, 251, 425, 426

North Atlantic Council communiqué, 226, 667-668

Soviet-FRG Treaty, 403

Italy:

Chemical and biological weapons, statement re, 273-276; control over, papers re, 270-272, 388-390

Disarmament, comprehensive program for, statement re, 277-282; working paper on, 440-445

Jain, K.P., 646-647

Japan:

Chemical weapons, prohibition of, working paper on, 379-382

Disarmament program, statement re, 238-241

Nonproliferation Treaty, statement re, 2-5

Jaroszek, Henryk, 622-626

Khallaf, Hussein, cited, 74, 394, 483, 494

Khattabi, Mohamed Al Arbi, 338-341

Körmives, Imre, cited, 130

Kosygin, Andrei N., 80-81, 203-204

Laird, Melvin, 40-55, 204-213

Large aperture seismic array (LASA).
See under Research: Seismic

Laser warfare, consideration of:

Arms control in connection with, Dutch views re, 311-312

CCD report, 512

Military applications of, remarks re, Dutch, 309-312; Swedish, 418; Soviet, 499

Views and statements re, Dutch, 309-312; Soviet, 499; Swedish, 418-419

Latin America:

Acquisition of nuclear weapons in, U.S. views re, 254, 319, 516, 522

Denuclearization of—

ACDA statement, 524

Comments and views re, French, 566; Mexican, 605; U.S., 319-320, 409, 516, 517, 520, 521

Organization for the Prohibition of Nuclear Weapons in Latin America (OPANAL), views re, Mexican, 64, 65, 580, 582, 583; U.S., 322

Latin American Denuclearization

Treaty (Treaty of Tlatelolco):

ACDA report, 705

Additional Protocol II to—

ACDA statements re, 519-524, 524-525, 525-527

Ratification of, U.S., proposed statement, U.S., on, 317-318

Six-power paper, 656

Tripartite paper, 462

Views and remarks re, Argentine, 288; French, 566; Mexican, 63, 65-66, 332, 580, 581-583, 605, 606; U.K., 34; U.S., 252, 318-322, 408-409, 517-519, 519-524

IAEA report, 365

Remarks re, French, 566; Mexican, 63, 65; U.K., 34

Launchers. *See under* Missiles and missile systems

League of Nations, Soviet views re, 314-315

Lederberg, Dr. Joshua, 355-362

Lenin, Nikolai, cited, 150

Leonard, James:

Statements and remarks re—

Arms race, economic and social consequences of, 635; nuclear, cessation of, 652-655

Arms control, conventional, 420-426

Chemical and biological weapons, 100-106, 170-174, 189-190, 276-277, 326-328, 465-474, 630-632; Toxin amendment to U.K. draft convention, 276-277

Cited, 288, 556

Comprehensive test ban and seismological research, 352-355, 618-619

- Disarmament, general and complete, 248-257; comprehensive program for, 666
- Latin American Denuclearization Treaty, Additional Protocol II to, 519-524, 611
- Nuclear explosions, peaceful services of, 645-646
- Sea-bed and ocean floor, 181-184, 485-489
- Uranium new techniques of enrichment, 653
- Statements, general, to—
- Conference of the Committee on Disarmament, 200-203, 236-238
- General Assembly, U.N., First Committee of, 585-591, 645-646
- Malta:
- Uranium enrichment, new technique for, statement re, 649-651; revised draft resolution re, 644-645
- Mattei, André, 563-568
- Mediterranean, situation in, North Atlantic Council communiqués, 226, 668, 672
- Mexico:
- Disarmament, comprehensive program for, statement re, 642-644
- Latin American Denuclearization Treaty, Additional Protocol II to, statement re, 579-585
- Nuclear free zones, statement re, 63-66
- Sea-bed and ocean floor, statement re, 299-308
- Sea-bed treaty, draft, statements and working paper re, 289-294, 331-333, 555-556, 602-606; Thirty-four power draft resolution, Peruvian amendment to; statement re, 607-608
- Meyer, Charles A., 516-519
- Microbiology, importance of, views re, Swedish, 135-136; U.K., 330
- Military appropriations, budgets, and expenditures:
- ACDA report, 722-723
- Defense budget, U.S., 40, 55, 67, 165
- Economic effect. *See* Economic and social consequences of: Defense expenditures
- North Atlantic Council communiqué, 675
- Worldwide—
- ACDA reports: 1969, 733-746; 1970, 746-757
- General Assembly, U.N., resolution (2667 (XXV)), 692
- North Atlantic Council communiqué, 675-676
- Tripartite paper, 465
- Twenty-four power draft resolution, 613
- Views and statements re, Romanian, 572-573; Soviet, 123; U.K., 34; U.S., 12, 164, 421
- Military bases, liquidation of, on foreign territory, Soviet views re, 636
- Military capabilities, 28, U.S. views re:
- Chinese Communist, 21, 24, 26, 44-48, 51, 207-209, 212, 697
- Soviet, 20-21, 41-43, 108, 161, 204-213, 350, 697
- Worldwide, 25-27
- Military posture, U.S.:
- ACDA report, 706, 724-725
- Presidential, U.S., reports and remarks re, 20-27, 79, 351, 531
- Secretary of Defense, U.S., reports re, 40, 44, 54, 205, 212
- Views re, Soviet, 397-398; U.S., 40-55, 209-213
- Minuteman. *See under* Missiles and missile systems
- Missiles and missile systems (*see also* Nuclear delivery vehicles):
- Antiballistic missiles and missile systems—
- ACDA report, 707, 730
- Comments and views, U.S., re, Chinese Communist, 21, 24, 26, 44-48, 50, 51, 207, 209; Soviet, 21, 43, 46, 47, 108, 206, 211, 231; U.S., 23, 28, 29, 46, 48, 50-54, 116, 117, 118, 207-209, 211

- Missiles and missile systems (*see also* Nuclear delivery vehicles)—
Continued
Safeguard antiballistic missile defense system, U.S., views re, 23, 24, 48, 50, 52, 206, 208, 209
Control, surveillance and warning systems, U.S. remarks and views re Soviet, 21, 43, 206-211; U.S., 20, 22, 24, 26, 43, 44-45, 47, 48, 50-59
Intercontinental ballistic missile (ICBM), U.S. opinions and views re Chinese Communist capability, 21, 24, 26, 44, 48, 51-52; Soviet capability, 20, 21, 24, 41-44, 52, 161, 205, 350, 697; U.S. capability, 28, 52, 55, 697
Launchers, U.S. views re Soviet, 41-42, 205, 206, 211; U.S., 55, 697
Minuteman, U.S., 20, 24, 46, 50-52, 55, 205
MIRV, U.S., 28, 46, 115, 116, 117, 118, 132, 207, 211, 730
Polaris, U.S., 20, 43, 46, 55, 207
Poseidon, U.S., 46, 55, 210
Radar system, Soviet, U.S. views re, 211
SAM, U.S. comments re Soviet, 41, 43, 47; U.S., 46, 47
Submarines, ballistic-missile, U.S. views re Soviet, 20-21, 42-43, 45, 46, 54, 210, 350; U.S., 20, 23, 24, 43, 44-46, 210, 350
Tallinn, Soviet, U.S. comments re, 211
ULMS, U.S., 46, 55
MIST (Minor Isotope Safeguards Techniques), ACDA report, 718
Moorer, Admiral Thomas H., 527
Morocco:
Chemical and bacteriological weapons, statement re, 338-341; prohibition of development, production, and stockpiling, and destruction of, working paper on, 341-342
Moscow Treaty banning nuclear weapons tests in the atmosphere, in outer space, and under water. *See* Test-Ban Treaty, limited
Multiple independent reentry vehicle (MIRV). *See under* Missiles and missile systems
Myrdal, Mrs. Aiva:
Chemical and biological weapons, statements re, 83-91, 132-140, 333-338, 409-420
Cited, 55, 58, 71, 129, 141, 194, 395-396, 439
National Security Council, U.S., comments re, 26, 30, 719
NATO. *See* North Atlantic Treaty Organization
Natorf, Wlodzimierz, cited, 77, 180
Netherlands:
Chemical and biological warfare, statement re, 93-100
Disarmament program, comprehensive, statement re, 55-58; working paper on, 59-63
Laser technology and arms control, working paper on, 309-312
Radiological warfare, 308-309
Nine-nation working paper on draft sea-bed treaty, revised, 349-350
Nixon, Richard M., address, letter, messages, remarks, reports, and statements re:
Arms limitation, 204
Cited, 67, 94, 106, 115, 135, 205, 230, 236, 250, 251-252, 276, 337, 353, 424, 554, 719
Foreign policy report, 20-33
General Assembly, U.N., on anniversary of, 529-533
Geneva Protocol, 445-446
Latin American Denuclearization Treaty, Additional Protocol II to, 408-409
Mideast situation, 693
Nonproliferation Treaty, 78-80
Strategic arms limitation talks, 107-108, 162, 350-351, 693
Toxins, renunciation of, 5-6
Non-nuclear weapon states (*see also* Conference of Non-Nuclear States):

- IAEA report, 363
- Statements re, Dutch, 57; Japanese, 2, 3, 4, 239, 240; Mexican, 291; Soviet, 80, 648; Swedish, 267, 417; U.S. 255, 322
- Nonproliferation Treaty:
 - ACDA report, 705, 714-718
 - CCD report, 503-504, 511
 - IAEA report, 361, 363
 - Six-power paper, 656
 - Tripartite paper, 459-462
 - Views statements and remarks re, Canadian, 261, 262; Dutch, 63; French, 565, 566; Japanese, 239; Maltese, 645, 649, 650; Mexican, 291, 293; Soviet, 14, 19, 80-81, 158, 483, 528, 542, 547, 549, 648, 651-652; Swedish, 136, 267, 336, 415-419; U.K., 35, 36, 82-83; U.S., 70, 78-80, 108, 119, 252, 254, 318, 321-322, 472, 488, 518, 521, 586, 588, 652
- North Atlantic Treaty Organization:
 - Allied military forces—
 - ACDA report, 705, 720-722
 - North Atlantic Council communiqués, 227, 228, 229-230, 667, 670, 674
 - Remarks and views re, U.S., 26, 159, 160, 161, 251, 423
 - Council of, communiqués, 225-230, 667-676
 - Security of—
 - ACDA report, 720-722
 - Comments U.S., 231, 423
 - North Atlantic Council communiqués, 225, 227, 667, 669, 671-672, 673, 674
- Norwegian Seismic Array (NOR-SAR). *See under* Research: Seismic
- Nuclear arms race, cessation of:
 - ACDA report, 710
 - CCD report, 502, 504, 513
 - North Atlantic Council communiqué, 673-676
 - Tripartite paper, 459
 - Views and statements re, Canadian, 260, 261; French, 564; Italian, 282, 442, 444; Peruvian, 598; Romanian, 570, 577; Soviet, 175, 180, 528, 529, 547, 651-652; U.S., 236, 253, 420, 421, 424, 524, 554, 641, 652-653
- Nuclear blackmail:
 - Six-power paper, 657
 - Tripartite paper, 463
 - Views re, Japanese, 3; Mexican, 66, 583; U.S., 22, 45, 49, 205, 320, 350, 524
- Nuclear delivery vehicles:
 - Deployment of—
 - CCD report, 504
 - Six-power paper, 657
 - Tripartite paper, 463
 - Views re, French, 565; Soviet, 399, 551, 636; U.S. 41, 42, 43, 44, 47, 206, 210
- Nuclear deterrence:
 - North Atlantic Council communiqués, 227, 671-672, 674-675
 - U.S. views re, 21-23, 40, 45, 48, 114, 8, 205, 208-211, 212, 252, 525
- Nuclear energy, peaceful uses of. *See* Atomic Energy, peaceful uses of
- Nuclear explosions consideration of:
 - Peaceful uses of—
 - ACDA report, 714
 - General Assembly, U.N., resolution (2665 (XXV)), text, 689
 - IAEA report, 363, 366, 446-453
 - Tripartite paper, 463
 - U.S.-Soviet joint communiqué, 39-46
 - Views re, Soviet, 648; Swedish, 416, 418; U.S., 254, 318, 320, 321, 523-524, 645
- Services—
 - General Assembly, U.N., resolution (2665 (XXV)), text, 689
 - Statements re, Indian, 646-647; Soviet 649; U.S., 645-646
- Nuclear free zones. *See* Denuclearized zones
- Nuclear fuel, Japanese views re, 4

Nuclear guarantees:

North Atlantic Council communiqué, 667

Views re—

Swedish, 267

U.S., 118, 205, 209, 524-525

Nuclear material and equipment for peaceful purposes:

General Assembly, U.N., resolution (2664 (XXV)), 688

IAEA report, 363, 366-367, 448-449

Views and statements re, Japanese, 4-5; Maltese, 649-651; Mexican, 581; Soviet, 81; U.K., 36, U.S., 254, 318

Nuclear parity. *See* Nuclear deterrence

Nuclear safeguard system:

ACDA report, 705, 715-718

U.S. views re, 48, 50-54, 207, 208-210

Nuclear stockpiles, limitation, reduction and elimination of:

Comments re, Soviet, 399, 652; U.S., 71, 424, 522

General Assembly, U.N., resolution (2667 (XXV)), 691

Six-power paper, 657

Tripartite paper, 463

Nuclear security:

North Atlantic Council communiqué, 669, 674

Nuclear sufficiency. *See* Nuclear deterrence

Nuclear technology and scientific data exchange for peaceful purposes:

ACDA report, 705, 715, 726-727

General Assembly, U.N., resolution (2664 (XXV)), 688

IAEA reports, 363, 365, 367, 369, 447

Six-power paper, 658

Views and statements re, Indian, 646-647; Maltese, 649-651; Soviet, 81; U.S., 321, 645-646, 647-649

Nuclear tests (*see also* Nuclear explosions, consideration of *and* Underground nuclear tests):

ACDA report, 705

CCD report, 502

Six-power paper, 656

Suspension of, nuclear and thermonuclear—

General Assembly, U.N., resolution (2663 (XXV)), 685-687

Tripartite paper, 463

Views and remarks re, Canadian, 262; Indian, 646; Japanese, 239; Mexican, 644, 657; Soviet, 107, 199, 232, 499, 596, 617-618, 647-649, 651-652; U.S., 11, 70, 523, 618-619; Yugoslav, 664

Nuclear verification:

ACDA report, 705

Senate Foreign Relations Committee, U.S., report, 114, 118

Six-power paper, 655

Tripartite paper, 461

Views, statements and remarks re, Canadian, 263; Japanese, 239; Mexican, 290; Soviet, 107, 200, 596-597; Swedish, 409-415; U.K., 342-349; U.S., 132, 553

Nuclear weapons:

Ban on use of—

ACDA report, 724

Statements and remarks re, Italian, 282; Romanian, 571, 634; Soviet, 19, 539, 652; U.K., 343; U.S., 11, 22, 118, 319, 554

Control of (*see also* Control of reduction of armaments and armed forces), views re, Japanese, 4; Mexican, 289, 581; Soviet, 81; U.S., 41-45, 50, 253, 532, 653

Deployment of:

Six-power paper, 656

Tripartite paper, 463

Views and statements re, Mexican, 332; Soviet, 652; Swedish, 266; U.S., 20, 23, 24, 41-51, 115, 118, 119, 207-209

Effects of, views re, Dutch, 308-309; U.S., 44-51, 173

Freeze on—

Six-power paper, 657

Tripartite paper, 463

Views and remarks re, French, 565; Japanese, 240; Swedish, 411; U.S., 118-119, 208

- Limitation and reduction of—
 - North Atlantic Council communiqué, 673
 - Statements re, Dutch, 56, 60; French, 565; Japanese, 2; U.S., 28, 79, 204
- Nonproliferation of—
 - North Atlantic Council communiqué, 227
 - Statements re, Canadian, 261; Dutch, 57; French, 566; Japanese, 2; Mexican, 291, 581; Soviet, 80, 484; U.K., 37; U.S., 31, 79, 173, 253, 322
- Production of, views re, Soviet, 652; Swedish, 419; U.S. 12, 318, 322,
- Prohibition and elimination of—
 - Tripartite paper, 463, 464
 - Views re, French, 565; Japanese, 2; Mexican, 66; Swedish, 267; Soviet, 399, 652
- Oil, elimination of, into sea, problem of:
 - North Atlantic Council communiqué, 670
- Olds, Glenn A., 637-638, 640-642
- Organization for the Prohibition of Nuclear Weapons in Latin America (OPANAL). *See under* Latin America
- Ortiz de Rozas, Dr. Carlos, 283-289; cited, 297, 631
- Outer Space Treaty:
 - Six-power paper, 656
 - Tripartite paper, 462
 - Views and statements re, French, 566; Soviet, 19, 528, 538; U.K., 34; U.S., 31, 252
- Pardo, Arvid, 649-651
- Peace, worldwide:
 - North Atlantic Council communiqués, 225-226, 667, 668, 669
 - Soviet-FRG Treaty, 403-404
 - U.S.-Soviet draft sea-bed treaty, 185
 - Views and statements re—
 - Romanian, 57
 - Soviet, 157, 163-164, 395, 500
 - U.S., 79, 212, 213, 250, 425, 531
- Peru:
 - Draft sea-bed treaty, statement re, 597-601
 - Thirty-four power draft resolution on draft sea-bed treaty, amendment to, statements re 568-570; Mexican revision of, 609
- Philippines:
 - Disarmament, economic and social consequences of, statements re, 619-620, 638-640; draft resolution on, 578-579
- Poland:
 - Chemical and bacteriological weapons, statements re, 141-150, 622-626
- Polaris. *See under* Missiles and missile systems
- Porter, Ivor F., 328-331, 437-440, 620-622
- Poseidon. *See under* Missiles and missile systems
- Radar, U.S. views re, 21, 43
- Radioisotopes and ionizing radiation. *See* Fissionable materials
- Radiological warfare:
 - CCD report, 504
 - Remarks re, Dutch, 308-309; Soviet, 499; Swedish, 418-419
- Reactors:
 - ACDA report, 717
- Regional arms agreement, *See* Arms agreements, regional
- Research (*see also* Arms Control and Disarmament Agency: Research planning and activities):
 - Chemical and bacteriological (biological)—
 - CCD report, 506
 - Lederberg scientific report on, 355-362
 - Statements and comments re, Canadian, 113-114; Dutch, 94; Italian, 270-272; Soviet, 72; Swedish, 86, 335; U.S., 5, 10, 30, 67, 168, 224, 326-328
- Nuclear—
 - IAEA report, 447-450
 - Statements and views re, Japanese, 2; U.S., 254
- Seismic—
 - Alaskan Long Period Seismic Array (ALPA), views re U.K., 349; U.S., 354
 - Data exchange—
 - CCD report, 503
 - Views re, Canadian, 263, 264-265, 391, 393,

- Research (*see also* Arms Control and Disarmament Agency: Research planning and activities):—Con.
615-617; Dutch, 56-57, 60-61; Japanese, 239, Soviet, 107, 596; Swedish, 411, 412; U.K., 36; U.S., 351-352, 353-355
- Detection and identification of underground explosions, views re, Canadian, 390-393; Dutch, 60; Swedish, 404-406, 412-413; U.S., 11, 202, 354, 553
- Large aperture seismic array (LASA), remarks re, U.K., 343, 349; U.S., 355
- Monitoring underground explosions, U.S. views re, 11
- Norwegian Seismic Array (NORSAR), views re, U.K., 343, 349; U.S., 354
- Rulison Project—
CCD report, 503
U.S. views re, 351-352, 353-354
- Richardson, Elliot L., cited, 422
- Rogers, William P., address, statements and remarks re:
Cambodian incursion, 213
Chinese Communists, resumption of talks with, 1-2
Cited, 712
European security, 159-161
Geneva Protocol, report on, 400-403
Latin American Denuclearization Treaty, Additional protocol II to, 318-322
North Atlantic Treaty Organization (NATO), 230-232
Soviet Unions, relations with, 213
Strategic arms limitation talks, 108, 159-161, 230-232, 257-258, 702
- Roosevelt, Franklin D., cited, 471
- Romania:
Arms race, economic and social consequences of, statements re, 570-577, 633-634
- Roshchin, Alexey A., remarks and statements re:
Chemical and bacteriological weapons, 71-78, 124-131, 151-153, 197-199, 234, 242-244, 312-317, 489-496, 496-500, 593-594, 632-633
Cited, 112, 287, 329, 469, 556
Disarmament, general and complete, 199, 235, 393-400, 595-597, 665-666
Latin American Denuclearization Treaty, Additional Protocol II to, 612-613
Nuclear arms race, cessation of, 651-652
Nuclear explosives, peaceful services of, 647-649
Nuclear free zones, 592-593
Nuclear tests, 199; suspension of, 617-618
Sea-bed treaty, draft 175-180, 233-234, 294-298, 480-485, 592-593, 606-607, 609-610
- Rulison Project, U.S.
CCD report, 503
Seismic data from, U.S. working paper re, 351-352
U.S. statements re, 353-354
- SALT. *See* Strategic arms limitation talks
- Saraiva Guerreiro, Ramiro E., cited, 285
- Sea-bed and ocean floor:
Arms race on—
ACDA report, 709
CCD report, 511
Statements re, Mexican, 290, 299, 304, 307, 604; Peruvian, 597, 598, 600; Soviet, 175, 234, 484, 593; Swedish, 267; U.S., 181, 183, 488, 550, 551
Demilitarization of, remarks re, French, 567; Mexican, 289-290, 293, 307; Soviet, 17, 180, 297, 480-481, 484, 539, 593, 607; Swedish, 267
Denuclearization of, views re, French, 567; Italian, 440; Mexican, 290-292, 605; Soviet, 542
Military use of—
ACDA report, 709
Soviet views re, 175
Peaceful use of
ACDA report, 709

- Comments and views re, Mexican, 299, 604-605, 608, Soviet, 176, 296; U.S., 9, 32
Thirty-four power draft resolution re, 559
- Prohibitions on—
ACDA report, 708, 709
General Assembly, U.N. resolutions (2660 (XXV)), text, 680-681; (2749 (XXV)), text, 698-701
Remarks and views re, Mexican, 290, 604; Peruvian, 599-601; Soviet, 484; Swedish, 267
- Security and rights of coastal states:
ACDA report, 709
Comments and statements re, French, 567; Mexican, 302, 303, 305, 306, 605; Peruvian, 601; Soviet, 297, 481-482, 540, 592; U.S., 487, 585
- Seismic. *See* Research: Seismic
- Semyonov, Vladimir S., 163-164, 427, 556-557
- Senate, U.S. (*see also* House of Representatives, U.S.):
Armed Services Committee—
Secretary of Defense, U.S., reports to, 40-55, 204-213
Foreign Relations Committee—
ACDA statements to, 519-524, 524-525, 525-527
Joint Chiefs of Staff letter to, 527
Reports of, 114-119, 154-157
Resolution (211) of, 132
- Short-Range Attack Missile (SRAM). *See under* Missiles and missile systems
- SIPRI. *See* Stockholm International Peace Research Institute
- Six-power draft resolution on disarmament, comprehensive program of, text, 611-612; paper re, 653-658
- SLBM. Submarine-launched ballistic missile. *See under* Missiles and missile systems
- Smith, Gerard C., statements re:
Arms Control and Disarmament Act, amendments to, 66-71
- Cited, 421, 720
- Disarmament, U.S. general approach to, 6-13
- Strategic arms limitation talks, 162-163, 426, 557-558, 696-698
- Snow, Edgar, 695-696
- Sovereignty of the seas. *See* Territorial rights of the seas, question of
- Soviet Union (*for proposals and statements on specific subjects, see subject*):
Address, message, notes, proposals and statements to—
Conference of Committee on Disarmament, 13-20, 71-78, 124-131, 151-153, 175-180, 197-200, 232-236, 294-298, 312-317, 335-388, 393-400, 480-485, 489-496, 496-500
General Assembly, U.N., 527-529; First Committee of, 537-549, 591-597, 606-607, 609-610, 612-613, 617-618, 632-633, 647-649, 651-652, 665-666; Second Committee of, 635-637
Secretary-General, U.N., 107, 123-124
Strategic arms limitation talks, 163-164, 556-567, 701
- Draft convention, Communist revised on prohibition of the development, production, and stockpiling of chemical and bacteriological (biological) weapons and the destruction of such weapons, text, 533-537
- Nonproliferation Treaty, entry into force of, on, 80-81
- Soviet-Federal Republic of Germany Treaty, text, 403-404
- U.S.-Soviet communiqués, joint, Peaceful uses of nuclear explosions, 39-40
Strategic arms limitation talks, 427-428, 701
- U.S.-Soviet draft treaty, revised on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the

Soviet Union—Continued

sea-bed and the ocean floor
and in the subsoil thereof,
185-188; revised text,
475-479; remarks re,
480-485

Space. *See* Outer Space Treaty

SRAM. *See under* Missiles and missile
systems

Stockholm International Peace Re-
search Institute (SIPRI), com-
ments and remarks re, Canad-
ian, 110, 113; Dutch, 61; Ital-
ian, 271; Swedish, 134; U.K.,
192, 194, 342, 343, 439, U.S.,
355

Strategic arms limitation talks
(SALT) (*see also* Nuclear weap-
ons, Missiles and missile sys-
tems; *and* Strategic forces, of-
fensive and defensive):

ACDA report, 704, 706-708, 725
CCD report, 503

House, U.S., committee report,
121

North Atlantic Council communi-
qué, 674

U.S.-Soviet communiqués, joint,
427-428, 701

Views and comments re Canad-
ian, 261, 262; Dutch, 56,
60; French, 565; Japanese,
240; Soviet, 14, 158,
163-164, 197, 203, 427,
556-557, Swedish, 410-411;
U.K., 35-36; U.S., 8-9, 27,
29-30, 32, 67-70, 107-108,
114-119, 155, 159-161,
162-163, 204, 207-208,
209, 211, 230-231, 257,
350-351, 426, 554,
557-558, 693, 696-697, 702

Strategic forces (*see also* Nuclear
weapons; Missiles and missile
systems, *and* Strategic arms
limitation talks), offensive and
defensive.

ACDA report, 714

CCD report, 504, 513

Chinese Communist capabilities,
U.S. views re, 21, 24, 26,
44, 47-49, 51, 695-696

Control of, U.S. views re, 12,
44-51

Limitation and reduction of,
views re, Soviet, 398, 400,
427; U.S., 8, 45, 53, 69,
204, 231, 558

North Atlantic Council communi-
qués, 227-229, 673, 675

Senate, U.S., committee report,
115; resolution re limitation
of, 132

Soviet capabilities, U.S. views re,
20-23, 41-43, 45, 49, 108,
205, 206, 652

U.S. capabilities, 20, 24-25, 26,
41-43, 45, 46, 206-213, 350

U.S.-Soviet communiqué, joint,
427-428

Views re, Soviet, 427; U.S., 54-55,
160, 162, 205-213, 231,
249, 251-252, 350-351

Submarine-launched ballistic missile
(SLBM). *See under* Missiles and
missile systems

Submarines:

Nuclear-armed, U.S. comments
and views re Chinese capa-
bilities, 48; Soviet capabili-
ties, 20-21, 42-43, 45, 46,
54, 210, 350; U.S. capabili-
ties, 20, 23, 24, 43, 44-46,
210, 350

Nuclear-powered, U.S. views re,
20, 43, 44, 46

Sweden:

Chemical and biological weapons,
statements and views re,
83-91, 132-140, 333-338

Comprehensive test ban, state-
ment re, 409-420; verifica-
tion of, working paper re,
404-406

Sea-bed and ocean floor, state-
ment re, 266-270

Tanaka, Hiroto, 238-241; cited, 251

Territorial rights of the seas, question
of (*see also* Freedom of the
high seas):

ACDA report, 710

Comments and views re, Mexican,
302-305; Peruvian, 600, So-
viet, 179, 233, 297,
481-482, 539, Swedish,
269; U.S., 487, 585

Test-ban treaty, comprehensive. *See*

- under* Treaties, proposed: Comprehensive test ban
- Test-Ban Treaty, limited:
 Six-power paper, 656
 Tripartite paper, 462
 Views and statements re, Canadian, 262; Swedish, 268; U.K., 34; U.S., 252, 254, 472, 488
- Thant, U., cited, 710
- Tlatelolco, Treaty of. *See* Latin American Denuclearization Treaty
- Toxins. *See under* Chemical and bacteriological (biological) weapons
- Treaties, proposed:
 Chemical and bacteriological warfare, ban on—
 ACDA report, 704, 708-709, 711
 CCD report, 504-509
 Control over, statements re, Canadian, 111, 375, Czechoslovak, 374; French, 568, 629, 630; Italian 388-390; Moroccan, 340; Soviet, 75, 152, 314-315, 388, 545, 594; Swedish, 133-134, 338; U.K., 193, 196, 432-437, 439; U.S., 100-101, 104, 190, 201, 468, 471, 631; Yugoslav, 382-385
 Hungarian, Mongolian and Polish working paper, views re, Polish, 141, 142, 147-148, 623-624, 625-626; Soviet 234, 316, 388, 593-594; U.S., 172, 590-591
 Nine Socialist countries draft—
 ACDA report, 713
 Comments and views re, Canadian, 109, 111, 376; Dutch, 96, 99-100; Italian, 274; Moroccan, 340; Polish, 141, 145; Soviet, 129-130, 151-153, 244, 316, 387, 388, 493, 495-496, 544, 545, 546, 547, 593; Swedish, 85, 334, 335, 336; U.K. 197; U.S., 469-470, 472, 590, 630
 Twelve non-aligned countries draft resolution
 ACDA report, 713
- Statements re, Soviet, 632, 633; U.S., 631
- U.K. draft convention, views re, Canadian, 109, 111, 376; Dutch, 96, 98; Italian, 274-275; Polish, 144, 146; Soviet, 125-128, 313, 386-387, 493, 544; Swedish, 85, 138-139, 334, 335, 336; U.K., 191-193, 328-331; U.S., 103, 189-190, 201, 465, 467, 552, 590, 630, 632
- Verification, question of—
 ACDA report, 711, 712
 CCD report, 506, 507, 508
 Statements re, Canadian, 112, 375-379; Czechoslovak, 374; French, 629; Japanese, 379-382; Moroccan, 339, 340, 342; Polish, 150; Soviet, 76-77, 314, 545, 632; Swedish, 86, 90, 133, 138, 314, 334, 335-336; U.A.R., 474-475; U.K., 432-437, 437-439, 621; U.S. 104-105, 172, 190, 455-459, 470-471, 472
- Views and statements re, Canadian, 109-113, 259, 375-379; Czechoslovak, 372-374; Dutch, 57, 93-95, 96; French, 567, 628-630; Italian, 270-272, 273-276, 388-390; Japanese, 240, 379-381; Polish, 141-150, 622-626; Soviet, 14-16, 19, 71-77, 81, 125-130, 197-198, 232, 234-235, 242, 312-317, 385-388, 489-496, 498, 529, 543-547, 593-594, 632-633; Swedish, 83-90, 132-140, 334-338; U.K., 191-197, 432-436, 437-440, 620-622; U.S., 9-11, 30-31, 100-106, 164, 171, 172, 174, 200, 237, 254, 276, 465-474, 551-552, 630-632; Yugoslav, 382-385, 626-628
- Comprehensive test-ban (*see also* Test-Ban Treaty, limited; and Underground nuclear tests)

Treaties, proposed—Continued

CCD report, 502, 503

Remarks, comments and statements re, Canadian, 261, 262, 263; Dutch, 56, 60; Japanese, 238; Soviet, 596-597; Swedish, 134, 333, 404-406, 409, 411-413, 419-420; U.K., 36, 342-349; U.S., 238, 255, 352-355, 553

Disarmament, general and complete—

CCD report, 501, 512-515

Six-power paper, 653-658

Statements, comments and remarks re, Canadian, 260; Dutch, 56, 59-63; Italian, 277-282; Japanese, 238-239, 240, 241; Mexican, 642-644; Philippine, 578-579; Polish, 149; Romanian, 570-577, 631; Soviet, 18-19, 157-158, 199, 235, 393-400, 498-499, 528, 537-549, 595-596, 635-637, 665-666; U.K., 190; U.S., 25, 202, 237, 243-257, 425, 532, 588-570, 666; Yugoslav, 659-664

Sea-bed and ocean floor and the subsoil thereof, prohibition of the use of, for military purposes—

ACDA report, 704, 708-711; statement, 70

CCD report, 510-512

Control over fulfillment, question of, views re, Argentine, 285, 288; Mexican, 290, 293, 305, 605; Peruvian, 599; Soviet, 177, 295-296, 540, 541; Swedish, 267, 259; U.S., 31, 183, 486-487, 551, 587

Draft treaties

Treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and in

the subsoil thereof, revision of U.S.-Soviet joint, draft, text, 676-680

U.S.-Soviet draft treaty, joint, text, 185-188; revised, 475-479

Statements re, Canadian, 258; Mexican, 289, 292, 555-556; Soviet, 176-180, 233-234, 294-298, 480-485; Swedish, 267; U.S., 236, 485-489

Security and rights of coastal states, consideration of, views re, Mexican, 302, 303, 305, 306, 605; Peruvian, 601; Soviet, 297, 481-482, 540, 582; U.S., 487, 585

Twelve-mile zone, views re, Argentine, 286; Mexican, 300-301, 307, 332; Peruvian, 597, 599, 600; Soviet, 233, 297-298, 539; Swedish, 269; U.S., 587

Verification, question of—

ACDA report, 710

Statements and comments re, Argentine, 286; Canadian, 259; Mexican, 290, 304, 305, 307; Peruvian, 599; Soviet, 176, 294-295, 296, 481, 482, 541; Swedish, 268-269; U.S., 183, 184, 550, 551

Views and statements re, Argentine, 283; Canadian, 258, 260; Dutch, 57; Japanese, 240; Mexican, 289-294, 299-308, 331-333, 555-556, 602-606; Peruvian, 597-601; Soviet, 16-18, 19, 81, 175, 176, 197, 198-199, 232, 294-298, 399, 480-485, 497-498, 538-543, 591-593, 606-607; Swedish, 266-270, 333; U.K., 191; U.S., 9, 31, 164, 181-184, 200, 201, 236-237, 254, 485-489, 550-551, 585-588

Thirty-four power draft resolution on draft sea-bed treaty, text, 558-559

- Peruvian amendment to, text, 568-570
- Remarks re, Mexican, 607-608; Peruvian, 609; Soviet, 606-607, 609-610; U.S., 587, 608-609, 610
- Tripartite draft resolution on chemical and bacteriological (biological) weapons, text, 561-563
- Tripartite paper on draft comprehensive program of disarmament, 459-465
- Tripartite working paper re Soviet draft convention of the prohibition of the development, production, and stockpiling of chemical and bacteriological (biological) weapons and the destruction of such weapons, 140
- Twelve-nation memorandum on chemical and bacteriological (biological) methods of warfare, 453-455
- Twenty-four power draft resolution on economic and social consequences of the armaments race and its extremely harmful effect on world peace and security, text, 613-615
- Underground nuclear tests (*see also* Nuclear explosions, consideration of *and* Nuclear tests):
- ACDA statement, 70
 - CCD report, 502-503
 - IAEA report, 446-453
 - U.S.-Soviet communiqué, joint, 39-40
 - Views and statements re, Canadian, 265, 390-393, 617; Mexican, 644; Soviet, 199, 200, 499, 529, 596; Swedish, 138, 405-406, 411-414; U.S., 590
- Underground test ban. *See* Treaties, proposed: Comprehensive test-ban; *and* Underground nuclear tests
- Undersea Long-Range Missile Systems (ULMS). *See under* Missiles and missile systems
- United Arab Republic.
- Verification of a ban on chemical and biological weapons, working paper re, 474-475
- United Kingdom:
- Biological warfare--
 - Draft convention on, revised, text, 428-431
 - Draft Security Council resolution, revised, text, 431-432
 - Chemical and bacteriological (biological) weapons, working paper, 432-436; draft resolution, text, 559-561; statements re, 190-197, 328-331, 437-440, 620-622; verification of arms control measures, working paper, 432-436
 - Comprehensive test-ban treaty, verification of, statement re, 342-349
 - Disarmament, statement re, 33-39
 - Nonproliferation Treaty, on entry into force, statement re, 82-83
- United Nations General Assembly (*see also* United Nations General Assembly, First Committee of; *and* Second Committee of):
- Addresses to--
 - Soviet, 527-529
 - U.S., 529-533
 - Communist draft convention, revised, on the prohibition of the development, production, and stockpiling of chemical and bacteriological (biological) weapons and the destruction of such weapons submitted to, text, 533-537
-
- Draft treaty, revised U.S.-Soviet, on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and in the subsoil thereof introduced in, text, 676-680
- Resolutions
- Additional Protocol II to the Treaty for Prohibition of Nuclear Weapons in Latin America, status of implementation of General Assembly resolution on, (2666 (XXV)), text, 689-691

- United Nations General Assembly
(*see also* United Nations General Assembly, First Committee of; *and* Second Committee of):—Continued
- Chemical and bacteriological (biological) weapons, question of, (2662 (XXV)), text, 683-685
- Conference of Non-Nuclear Weapon States, implementation of the results of, (2664 (XXV)), text 687-688
- Disarmament, general and complete, (2661 (XXV)), text, 681-683
- Economic and social consequences of the armaments race and its extremely harmful effects on world peace and security, (2667 (XXV)), text, 691-693
- Economic and social consequences of disarmament, (2685 (XXV)), text, 693-695
- International service for nuclear explosions for peaceful purposes under appropriate international controls, establishment of, within the framework of the International Atomic Energy Agency, of, (2665 (XXV)), text, 691-693
- Nuclear and thermonuclear tests, urgent need for suspension of, (2663 (XXV)), text, 685-687
- Treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea bed and the ocean floor and in the subsoil thereof, (2660 (XXV)), text, 680-681
- Six-power paper on comprehensive program of disarmament submitted to, 653-658
- United Nations General Assembly, First Committee of:
- Draft U.N.G.A. resolutions introduced in—
- Maltese, revised, re new techniques for uranium enrichment, text, 644-645
- Six-power re comprehensive program of disarmament, text, 611-612
- Thirty-four power re draft seabed treaty, text, 558-559; Peruvian amendment to, 568-570
- Tripartite re chemical and bacteriological (biological) weapons, text, 561-563
- U.K. draft re chemical and bacteriological (biological) weapons, text, 559-561
- Proposals and statements to—
- Canadian, 615-617
- French, 563-568, 628-630, 666-667
- Indian, 646-647
- Maltese, 649-651
- Mexican, 555-556, 579-585, 602-606, 607-608, 642-645
- Peruvian, 597-601, 609
- Philippine, 619-620
- Polish, 622-626
- Romanian, 570-577, 633-634
- Soviet, 537-549, 591-597, 606-607, 609-610, 617-618, 632-633, 647-649, 651-652, 665-666
- U.K., 620-622
- U.S., 549-554, 585-591, 608-609, 610-611, 618-619, 630-632, 635, 645-646, 652-653, 653, 666
- Yugoslav, 626-628, 659-664
- United Nations General Assembly, Second Committee of:
- Economic and social consequences of disarmament—
- Philippine draft resolution, text, 511-579
- Statements and views re, Philippine, 619-620, 638-640; Soviet, 635-637; U.S., 637-638, 640-642
- United Nations Secretary-General reports and notes to:
- IAEA re nuclear explosions for peaceful purposes, 446-453;

- re recommendations of the Conference of Non-Nuclear-Weapon States, 362-372
- Soviet re economic and social consequences of disarmament, 123-124; re international exchange of seismic data, 107
- U.S. re economic and social consequences of disarmament, 164-168
- United States (*for proposals and statements on specific subjects, see subject*):
 - Agencies, Committees and Departments. *Locate under substantive part of name*
 - Arms Control and Disarmament Act, Amendments to, text, 213
 - Defense: civil program, 165-167; expenditures, 40, 55, 67, 120-121, 122-123, 165; proposed defense program, 20-27, 40, 44, 55, 69, 205, 212, 351, 407; military posture, 20-27, 40, 54, 79, 205, 212, 351, 531, 706, 720-721, 724-725
 - Nuclear financial, technical and expertise assistance for peaceful purposes, 321, 423, 645-646, 726-729, 729
 - Proposals, addresses, messages, note and statements to
 - Conference of Committee on Disarmament, 91-93, 100-106, 168-170, 170-174, 181-184, 189-190, 200-203, 248, 257, 272-273, 276-277, 323-326, 326-328, 351-352, 352-355, 406-408, 420-426, 455-459, 465-474, 485-489
 - General Assembly, U.N., 529-533; First Committee of, 549-554, 585-591, 608-609, 610, 611, 618-619, 630-632, 635, 645-646, 652-653, 653, 666; Second Committee of, 640-642
 - Secretary-General, U.N., 164-168
 - Ratification of Additional Protocol II to the Treaty for the Prohibition of Nuclear Weapons in Latin America, U.S. proposed statement, text, 317-318
 - Soviet-U.S. relations, U.S. views re, 531-532
 - U.S.-Soviet communiqué, joint, on peaceful uses of nuclear explosions, 39-40
 - U.S.-Soviet draft treaty, joint, on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and in the subsoil thereof, text, 185-188; revised, 475-479
- Uranium:
 - ACDA report, 716-717
 - Maltese draft U.N.G.A. resolution re enrichment, text, 644-645; Maltese views re, 649-651
 - Ore, U.S. views re, 653
- Vietnam, situation, in views and comments re, Polish, 142; Soviet, 491, 492, 543; U.S., 216, 217-219, 223
- Vratusa, Anton, cited, 134, 148
- Warsaw Pact countries:
 - Budapest communiqués, Warsaw Pact Ministers, 244-245
 - Budapest memorandum re European security, 245-248
 - Statements and views re North Atlantic Council communiqué, 667, 670, 673, 674
- Wars of national liberation, U.S. views re, 25
- WHO. *See* World Health Organization
- Winiewicz, Joseph, 141-150
- Wilson, Harold 82-83
- World Health Organization, comments re, Italian, 271, Polish, 144; Soviet, 72, 127, 543
- Yost, Charles, 549-554; cited, 710
- Zakharov, Alexei V., 635-637
- Zelleke, Afework, cited, 126
- Zybylski, Kazimierz, cited, 297